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LETTERS

for women only

Tallahassee, Fla.

DEAR SIRS: How could you make such a drastic mistake [*The Nation*, Sept. 3] as having Peter Dreyer review Anne Rush's book, *Getting Clear*? . . . Was your intent to offer commiseration to your male readers who don't really know what the girls are up to now, or to alienate your female audience?

Ms. Rush's book is from the female experience in America and directed to those who are undergoing this experience and seeking to center themselves within it. . . . Books like this are directed toward a specific (female) audience. . . . Since Mr. Dreyer has no idea of the psychological experience of being female in America, he cannot understand the meaning, intent or message of this book. For those who need it, a book like *Getting Clear* can provide a new clarity on one's own perspective of the world and a sense of bonding with other women who show the same psychological experiences. . . . *Joanne Marrow*

still not so

Santa Monica, Calif.

DEAR SIRS: In the Letters column of *The Nation* [Sept. 3] Carl Oglesby states that ". . . in 1969 Nixon bought scenarios from Rand showing the ways a Presidential conspiracy might suspend elections and the Constitution. . . ." Please let me refer you to my letter in your Letters column of May 11, 1970, in which I point out that Henry S. Rowen, then president of Rand, had issued this statement:

"The Rand Corporation has not undertaken such a study. It does not contemplate making such a study. Nor has it been approached by anyone with a proposal for such a study." Dr. Donald B. Rice, who has succeeded Mr. Rowen as Rand president, endorses that statement. . . . *Paul Weeks*
Public Affairs, The Rand Corporation

New Left historians

New York City

DEAR SIRS: Ronald Radosh, in his review of R.J. Maddox's *The New Left and the Origins of the Cold War* (*The Nation*, July 16), wonders why anyone should question the scholarship of New Left historians. His first sentence provides an answer. In that sentence Mr. Radosh attributes to me the view "that the cold war was the 'brave and essential response of free men to Communist aggression.' " What I wrote in *Foreign Affairs* in October 1967 was that "the orthodox view" was "that the Cold War was the brave and essential response of free men to Communist aggression." I contrasted this with the revisionist view; and the rest of the piece explained why I disagreed with both views. Can New Left writers get nothing right?
Arthur Schlesinger, Jr.

do it!

Detroit, Mich.

DEAR SIRS: When I finished Jane Holtz Kay's column about the design of the John F. Kennedy Memorial Library [*The Nation*, July 16], I said to myself that some agency should send an anthropologist, a Malinowski, into those big-name architectural offices. At first he won't believe his own eyes and ears. Those places are full of Ehrlichmans, Deans and Haldemans—each maneuvering for position, each with his game plan, pretending loyalty to the architectural mahatma who heads the firm. No wonder foundations settle and glass walls fall out. . . .

Albert Kahn, the architect, used to say to a civil engineer, "This is what I want to do. Tell me if I can do it." These new people, these "designers," armed with little more than Hitler's intuition and purist conceptions, say, "This is what I want to do. *Do it.*" *Alan Mather*

EDITORIALS

The Bad News About Oil

Americans are energy hogs. Millions of us consider it our God-given right to have two impressively large cars in the garage, a boat for summer water motoring, numerous electrical appliances and of course air conditioning.

This is all very pleasant, but much of the vast amount of energy is derived from oil. We have always assumed that we had ample supplies of oil, but now, quite suddenly, the headlines are screaming energy crisis. It is not too bad—as yet. We may not be able to drive into any service station (of which there are far too many) and say, "Fill her up," with full confidence that the gasoline will flow. There may be serious spot shortages of residential heating oil this winter; the power companies will have supply problems too. But there will be electric power and nobody will freeze—nobody in the middle class, at least.

Looking ahead, however, there may be real trouble. Technical trouble, economic trouble and political trouble. The political trouble is on us already.

The harsh, inescapable fact is that the Arab nations and their allies in the Middle East control 55 per cent of the world's proved oil reserves. A second fact, somewhat less ineluctable, is that American oil consumption is growing at a rate of about 7.5 per cent a year. Third, the United States has only about 5.5 per cent of the world's oil—a tenth of the Arabs' reserves. We could get along without Mideast oil now, but by 1980, if we continue to burn oil at the present rate of increase, we shall be depending on the Arab oil barons for 25 per cent of our crude. Nor is that the worst of it. Right now, Western Europe is getting more than 70 per cent of its oil from the Middle East, and Japan is dependent on the Arabs for nearly 80 per cent.

If men were reasonable, if nationalism and racism were less potent in human affairs, there would be no difficulty. The Arab potentates could sell their oil and even let more of the proceeds percolate down to their subjects. But as matters stand, they have found that they cannot conquer Israel militarily—certainly not as long as the United States continues to supply Israel with Phantom and Skyhawk aircraft. So they look to oil as their ultimate weapon.

This policy entails some drawbacks. The Arabs like those American dollars or, better, gold; furthermore, they have so far failed to present a united front. The recent kidnapping of Saudi Arabian diplomats by Palestinian gangsters is symptomatic. But there is no question that Arab nations can nationalize the international oil cartels, keep on jacking up the price, and base their diplomacy on oil as a means of blackmail. The most militant of them, Muammar Kaddafi of Libya, has announced that he will not accept American dollars in payment for Libyan oil. This may be a bluff, but Libyan crude is highly desirable—it is "sweet"; low in sulfur and other impurities.

The politics of this ominous situation includes a possible decline in American support of Israel. President Nixon's press conference statement that both sides are at

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fault was in effect a warning to Jerusalem. The fact that we shall soon have a Jewish Secretary of State is no help. Mr. Kissinger is in a better public relations position to put the screws on Israel, if Mr. Nixon orders him to, than would be a WASP of the sort who normally occupy that office.

Another prospective casualty is the ecology movement, with unhealthy results for all of us. That the Alaska pipeline will be built is now a foregone conclusion. Another near certainty is that the utilities will be given leave to pollute the atmosphere to the extent required to keep electricity flowing to factories and residences. An indication of what lies ahead is the President's statement in his message to Congress: "We now have adequate safeguards to insure that nuclear power plants are safe and environmentally acceptable . . ." and his recommendation for a separate and independent nuclear energy commission, supplanting the Atomic Energy Commission, to "streamline" the process for siting such plants, providing rights of way for transmission lines, etc. The fact is that developments in this field have been held up by technical difficulties, and expert opinion is most wary about the present safety and anti-pollution measures.

We can be certain of two things in the immediate future—say in the next five or ten years. It is unlikely that in this interval technological innovations (shale oil, solar power, generation of electric power by nuclear fusion, etc.) will come to our help. Second, any measures taken by the Nixon Administration, or a future Executive with the same premises, are likely to be strictly pragmatic, political and short-sighted. The last thing that a President of that sort will do is try to turn down the oil spigot at the consuming end—the public would howl and the industry would withdraw its friendship. From Nixon's viewpoint, it is far better to wheel and deal in the oil-rich sands of the Middle East than to lose his domestic image as Bountiful Dick, the glutton's friend.

Farewell to Allende

Salvador Allende, the Marxist doctor who squeaked into the Presidency of Chile in 1970 by a narrow margin, has now been deposed by a military coup and is dead, assertedly by his own hand. His regime had been in deep trouble from its inception, in part doubtless because of Dr. Allende's lack of political cunning and ideological flexibility—he took his constitutional Socialist convictions seriously—and the predictable opposition of the wealthy and middle-class businessmen who feared for their perquisites and property. But from the outset many of Allende's woes originated from up north.

The story of ITT's efforts to influence the election, and its barefaced million-dollar attempt to bribe the CIA to intervene, is well known. Throughout Allende's three years in office, U.S. official bodies and private firms continued relentlessly to wage economic war. The large copper companies whose properties had been expropriated not only refused technical aid but tried to have Chilean copper excluded from European markets. The U.S.-dominated World Bank cut off all credits and even refused communication with the Chilean Government.

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Attempts were made to persuade European banks and lending agencies to discontinue financial support. U.S. economic aid was severely cut, amounting in 1973 to only $3 million, largely for school lunches.

Hostility was total with one significant exception: military aid continued unslackened. The tanks that fired on the Presidential palace and the planes that bombed it were made in America and cheerfully supplied. And now the military are in charge.

Officials of the Nixon Administration have initially declined to comment. Such silence upon the death of a head of state is scarcely the diplomatic norm, but one wonders what, in diplomatic terms, they could find to say now.

Playing with Soldiers

Mr. Nixon is comfortable with military types: General Haig (see p. 262 this issue) is only the most conspicuous of several who have been helping the President conduct the country's civilian business, though the Constitution and supporting legislation make it clear that men in uniform must stay beyond, above, or at any rate well outside of politics.

It must not be assumed that the armed services themselves take kindly to White House recruitment from among their ranks. Like any guild, the military has its traditions and trotting on errands from the Oval Office is not one of them. It troubles the soldiers to see any of their number rising up the ladder of rank by that route, and they do what they can to prevent it.

When that happens, Mr. Nixon intervenes, ordering—as is his legal right—that his bemedaled aides be promoted, and further ruffling Pentagon feathers. He has done it twice recently, in the cases of Marine Maj. John V. Brennan and Army Lt. Col. Dana G. Mead. Brennan is a travel and communications troubleshooter for the President; Mead used to work for John Ehrlichman, who is thought to have let the President know that his boy had been passed over for promotion.

With the military shrinking rapidly, the competition for rank is becoming fierce. Mr. Nixon seems to enjoy sticking his finger in stews of that sort, but in this case he may get burned. There is nothing much the services can do directly to prevent him from boosting his favorites, but like any priesthood, the military bureaucracy has many ways to pull strings.

Meanwhile, Robert C. Seamans, Jr., having retired as Secretary of the Air Force, states that he was not told of the secret bombing of Cambodia, and adds, a little bitterly, that there was no reason he would have been, since he was not in the operational chain of command. It used to be that the Secretaries of the armed services were men of awesome responsibility; they still rate a nineteen-gun salute and a limousine, but the trappings have outlived the power. Nowadays, the whole show is run by the Secretary of Defense and the Joint Chiefs of Staff, with Dr. Kissinger dropping in from the National Security Council. As Mr. Seamans said: "It doesn't make much sense to have the title and not become involved in and have knowledge of what is going on." These days, lots of people with the title of private citizen feel that way.

They Also Died at Jackson State

The killings at Kent State and Jackson State occurred at approximately the same time. In neither case has any legal action been taken against those who shot at unarmed college students. Four students were killed at Kent, two at Jackson; many were grievously wounded. The investigation by the Scranton Commission indicated that in both instances deadly force was employed unnecessarily by the National Guard and police officers. Even John Mitchell, then Attorney General, admitted as much. It was also clear to any unbiased observer that the grand jury probes which followed were flagrant whitewashes.

Finally, after three years of inaction and the refusal on the part of a few media and individuals to forget about these outrages, Atty. Gen. Elliot Richardson has decided to reopen the Kent State case. Though his announcement was very cautiously phrased, some action is to be taken by the Justice Department. But Richardson has been silent about the Jackson State killings, which seem to have been equally unjustified, and were surely as tragic for the victims, their families, and the other Jackson students. The principal difference was in the skin color of the victims.

Pennsylvania state Rep. Joseph Rhodes, Jr. was a member of the Scranton Commission. He points out that the federal grand jury convened in Mississippi made only a token effort to get at the facts in the matter. Now, in a civil case brought by the families of the dead students, new evidence has been uncovered in the form of testimony by an FBI agent, indicating that there was no sniper, as alleged by the state troopers in justification of their deadly fusillade. It will be remembered that the sniper who was said to be involved at Kent State also turned out to be mythical. When law-enforcement officers violate the law, they can always create a sniper as a convenient excuse for shooting.

Mr. Rhodes has asked the Attorney General to discuss with him the procedure of the Justice Department in the 1970 investigation, the dubious performance of the Jackson State grand jury, and the new evidence now available. There seems to be every reason for Mr. Richardson to heed this appeal.

Laser Weaponry

The laser produces coherent light, which means that light waves can be transmitted, modulated, etc., much like radio waves, but since the frequency is much higher, laser energy opens up new fields of application. When the device was first developed—Charles H. Townes, an American, and two Russians received the Nobel Prize in physics in 1964 for the preceding fundamental research—we were told of potential applications ranging from vast communications capability to surgical repair of detached retinas to amazingly three-dimensional photography. Since the laser was capable of producing bursts of high energy, military insiders had another thought—couldn't it be used as a weapon, a sort of death ray?

The first widespread publicity about military applications was the Air Force press agentry during the 1972 Yuletide bombing of Hanoi and Haiphong—laser-guided

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"smart" bombs. In the trade press, however, there had been earlier revelations of lasers designed for radiation weapon applications. The guidance of a bomb by means of a laser beam is one thing; the use of the beam as a weapon in its own right is something entirely different. It is being pursued on a laboratory basis at Aerospace Corporation, Hughes Aircraft, the Atomic Energy Commission's Los Alamos laboratory and half a dozen other places in the United States, and of course in the Soviet Union.

Last year a familiar pattern emerged; Dr. Eberhardt Rechtin, the U.S. Defense Department's deputy director for research and engineering, warned that the time we have to react to the Soviet laser threat might be "terribly short." So we have already spent around $100 million on preliminary research and are proceeding on a crash basis to develop a weapons system which, according to authoritative Pentagon testimony before the House Armed Services Committee, has little or no prospect of being in operation before the 1980s.

There are many difficulties which additional funds may or may not overcome. A story by Philip J. Klass in the July 9 *Aviation Week and Space Technology* shows high-speed photographs of a laser beam burning through a half-inch-thick steel plate in half a second. But it can do that only if a windstream is directed at the plate to clear away ionized gas which is produced and which acts as a shield between the laser and the plate. It is as if the target material wanted to defend itself against its destroyer. Then, if you are firing at an aircraft a couple of miles away—or even a few hundred yards—severe propagation losses are encountered; not much of the energy leaving the laser reaches the target.

The question to be asked is: what use will the laser radiation weapons system serve if these and other difficulties are overcome? The Navy likes the idea of a submarine directing a laser beam through a periscope-like device at a suitable target, presumably a surface vessel. Other services are entranced by lateral or downward directed beams from aircraft. We are assured that a laser-ray gun is a hot prospect for the B-1 bomber. Whether such devices will add effectiveness to the existing panoply of bombs, missiles, torpedoes, napalm, artillery, etc., no one knows, or really cares. It is something new, so it must be researched, developed and added to the insane array of weapons already in the field. We must have the latest. The Russians (or the Chinese or other goblins) will get us if we don't.

Dictating to Clio

President Nixon is obsessed with the need to establish a historical image of himself. One reason alleged for his taping of conversations was to provide transcripts not only for current reference but also for future memoirs. In his news conference at San Clemente on August 22, Mr. Nixon reportedly stated: "I have a practice, whenever I'm not too tired, of my dictating my own recollections of the day. I think that perhaps will be the more accurate record of history in the end."

Not content that his deeds should speak for themselves, Mr. Nixon insists that they be interpreted as he wishes. Because he cannot reconcile himself to differing, let alone contrary, interpretations, he attempts to force his own version of events upon his contemporaries—and upon posterity. His reasons for doing so are not entirely political (he reached the pinnacle of his political ambition in the election of 1972); they are in some measure rooted in delusions of historical grandeur. Mr. Nixon will dictate to Clio, the muse of history, advising her that he is (or was) a great, good and wise President who did what was best for his country, despite factious and unworthy opposition.

Certainly after the disaster of Watergate, the President believes that his historical reputation will depend upon the success of his foreign policy rather than his domestic politics (although the two can hardly be separated). The designation of Henry Kissinger, the architect of his Administration's dynamic conservatism in foreign affairs, to be Secretary of State is one indication of Mr. Nixon's priorities. The neglect of economic disequilibrium at home is another. Yet actions and circumstance, not dictation from Mr. Nixon, will determine the long-term result of his policies, whatever the short-term propaganda value of his advertising techniques. He may face the press of this country infrequently and on grounds of his own choosing, but in his confrontation with history the President is at a disadvantage.

Mr. Nixon has little understanding of or respect for history. He pretends to admire such 19th-century conservatives as the Duke of Wellington and Benjamin Disraeli. His notions of their careers are based, at best, upon shallow reading of popular biography. Even so, the few facts which he tries to provide about them in speeches are usually inaccurate. Wellington, for example, was not "Prime Minister for many, many years in Britain," as Mr. Nixon asserted in New Orleans on August 21, but for no more than twenty-four months; nor did he consider himself a politician but a servant of the Crown, above politics. By his frequent use of the phrase "peace with honor," Mr. Nixon foolishly mimics the words with which Disraeli tried to disguise shortcomings in his foreign policy, as well as the British extortion of the island of Cyprus from Turkey in 1878. Mr. Nixon interprets the past in the context of his prejudices, as do all men. But his knowledge is too slight to permit of his foisting those interpretations upon the world, were it not for his overweening arrogance.

History and historians will not be fooled by Mr. Nixon. They may appreciate some of the information he will provide them, particularly the unintentional psychological insights into his character which will emerge from his tapes. But they will laugh to scorn his attempt to obtain recognition of his own account of his Administration as the only comprehensive and accurate one. They have seen such reminiscences before—and from more intelligent, able and articulate conservatives than Mr. Nixon—from Winston Churchill and Otto von Bismarck, to mention but two. Clio's verdict on the President might be less harsh if he rested at the end of the day, building up his energies for the morrow's work, instead of vainly wasting his time trying to dictate to history.

MARVIN SWARTZ

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General Haig: A Lethal Precedent

FRANKLIN SILBEY

One portion of the Watergate fallout has established a little-noticed, but portentous warrant—that of allowing a professional soldier to remain on active-duty status while assuming a policy-making position on the President's personal staff. The man in question is Alexander Meigs Haig, Jr., by whose example the traditionally clear-cut line dividing our career military from their civilian masters has been blurred beyond recognition, thus establishing an authoritarian precedent that no free country can dare to tolerate.

In retracing the evolution of this event, those concerned will note with minimal surprise that its genesis lies with President Nixon. When H.R. Haldeman resigned, Nixon turned to General Haig, appointing him on May 4, 1973, to assume Haldeman's duties. That post, established by statute, was then, and is today, a partisan political job, carrying with it significant *de facto* policy-making responsibility. The President's chief of staff is much more than a traffic policeman.

At the time of his new appointment, Haig was the newly minted Vice Chief of Staff of the United States Army, a four-star rank he had very recently attained. His assignment originally was supposed to be temporary, but observers noted his already long association with the White House, dating from 1969, when he joined Kissinger's National Security Council staff as a colonel, to emerge four years later as the Army's second highest ranking officer. During those years a number of vital decisions involving the Army were made by the White House.

A recommendation made by former Deputy Secretary of Defense David Packard, widely endorsed throughout government, to reduce the stature and switch service responsibility for the Army's Southern Command at the Panama Canal Zone, was overruled by the White House. Attempts to separate the Corps of Engineers, which increasingly engages in environmentally controversial domestic construction, from the Army, were similarly overruled.

Haig's on-call White House status prevented him from spending much time as Army Vice Chief of Staff, causing widespread grumblings in professional Army circles. He had been tabbed early as the most politically skillful military man to emerge in many years, attaining staff position and four-star rank without ever commanding so much as a division. Further, his promotion to four-star rank was over the heads of 240 senior Army generals.

Announcing the appointment, press secretary Ziegler said: "General Haig will have the responsibility of . . . coordinating the flow of information in to the President . . .," adding, "a great portion of the work will be administrative, but he will also be involved in policy formulation."

Ziegler also said Haig would continue on the military payroll at his then present rank. When questioned that same day as to his status, Haig responded that, "yes," his new assignment was indeed a temporary one, and, "no," he would not be leaving the Army. As soon as Haig's appointment to the Haldeman spot was announced, Ralph Nader's Public Citizen, Inc., brought suit, claiming a violation of law.

That Haig was immediately placed in a sensitive political role apparently did not trouble the President, but a number of Capitol Hill critics voiced serious doubts and vigorous disagreement over the appointment. Among them were Rep. John E. Moss (D., Calif.) and Sen. Stuart Symington (D., Mo.). Both noted that Haldeman's post was historically viewed as a civilian position. Pentagon officials, when pressed, voiced their belief that the President's constitutional authority as Commander in Chief allowed him to employ Haig, at least temporarily, in such a pivotal role.

Moss and Symington responded with what to them appeared an inflexible legal prohibition against the appointment, contained in 10 U.S. Code, section 973 (b):

> Except as otherwise provided by law, no officer on the active duty list of the regular Army, regular Navy, regular Air Force, regular Marine Corps or regular Coast Guard may hold a civil office by appointment or election whether under the United States, a territory or possession or a state. The acceptance of such a civil office or the exercise of its functions by such an officer terminates his military appointment.

As alarm spread through concerned political circles across the ideological spectrum, formal requests were made of the Pentagon's chief legal officer to clarify the situation. The Pentagon's acting general counsel, Leonard Niederlehner, first served up the "Commander in Chief under the Constitution" argument, stressing that Haig had accepted no civil office. When that was buried under a barrage of legal counter-arguments, Niederlehner recovered swiftly, offering a number of precedents involving senior military officers who have, over the years, been detailed by Presidents to perform a wide range of White House duties.

These included Adm. Frank Leahy's service from 1942 to 1949, commencing as chief of staff to FDR; Maj. Gen. Wilton B. Person's work as chief of White House staff under Eisenhower; Gen. Andrew Goodpaster, staff secretary to Eisenhower, and Gen. Maxwell Taylor's labors as military adviser to President Kennedy.

Responding to these citations, Congressional critics pointed out that Leahy was recalled in a military capacity to serve as chief of staff during a war, and that Persons and Taylor were on the retired list when they served the

---

Franklin Silbey has written for, among others, The Washington Post, *the Middle East Information Series and the* National Jewish Monthly. *In recent years he has been a press and legislative aide to Senator Montoya of New Mexico, working in the areas of military affairs, consumer protection, Congressional reform, mass transit, constitutional issues and others.*

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White House. Goodpaster worked solely on national security matters, but the point was made that his appointment was illegal on its face, and that offering it as an example was merely to compound illegality with respect to Haig. This disposition to cite invalid precedent is what makes the Haig situation so serious.

Research into the legislative history of 10 U.S. Code 973 (b) revealed that the statute was intended to prevent just such an event as the Haig case. It originated in an Act of March 30, 1868, and was reaffirmed on July 15, 1870. An amendment was added in 1939, and the entire statute was recodified on August 10, 1956, when a similar provision was enacted with respect to the Air Force. Reports of the pertinent committees in both House and Senate stated: "The object of the new titles has been to restate existing law, not to make new law."

Representative Moss, author of the Freedom of Information Act, sought and found historical precedent, Presidential actions and pronouncements to buttress his position. In a House floor speech on June 11 he stated the case for banning the professional military from participation in partisan political activities of the White House:

> Constitutional rules are not to be shunted aside to provide for anyone's well-being. In the process, more violence is being done to honored principle while setting into semi-permanence one of the most perilous precedents confronting democratic government. One, I might add, which no democracy cherishing its status as such dares allow.

At that time, Haig had been enjoying dual status for one month. Moss noted that nowhere in the Constitution was there any provision for such action, pointing out instead that the document did not even contain a legally constituted or authorized channel of communication between the military and its civilian superiors. Under growing pressure, the White House announced that Haig would enter the retired ranks on August 1, and so he did.

But the very announcement of Haig's anticipated new status was an admission by the President that the general's dual role was inconsistent with and a violation of provisions of federal law. Here was an arbitrary assertion by the executive branch of a selective right to enforce those actions of a statute it found convenient, while evading enforcement of those it found inconvenient. Legality and the intent of the founders were adjourned.

Attention had also been called to original debates on the statute in question in the Senate after the Civil War. In a highly prophetic statement, Sen. Lyman Trumbull of Illinois, a Republican and confidant of Lincoln, questioned the employment of former officers:

> But the difficulty will be that if you allow officers upon the retired list to hold civil offices, the law will be evaded. Persons will be placed on the retired list for the purpose of giving them appointments. . . . I think that this government is a civil government. It should be administered by civilians. The Army is subject to the civil authorities of the country; and I do not believe in having the civil offices of the country administered by the military authorities.

Critics constantly referred to numerous references in our history, conclusively defining the American tradition of total exclusion of our professional military from the partisan political process. Among many examples cited was that of James Buchanan who, losing the Democratic nomination in 1852, attacked the Whig candidacy of Gen. Winfield Scott in these words: "What fatal effects would it not have on the discipline and efficiency of the Army to have aspirants for the Presidency among its principal officers? How many military cliques would be formed?"

Moss, in his speech, also recalled two precedents which he would later bring to the attention of Attorney General Richardson, to no avail. Both dealt with federal Attorneys General who had blocked similar appointments. In 1870, Gen. George G. Meade, commander of Union forces at Gettysburg and a widely honored soldier, was informed by Atty. Gen. A.T. Akerman that he could not even exercise the functions of park commissioner for the city of Philadelphia without vacating his military commission. The Attorney General noted that the office of park commissioner had been established by an act of the state legislature, which designated the mode of appointment, term of office and functions to be performed. Those were of a civil nature; hence the distinguished general was barred from the civil office. In 1873, federal Atty. Gen. E.R. Hoar ruled that General of the Army William T. Sherman could not hold the office of Secretary of War, even temporarily, without vacating his commission.

Other generals, unlike Haig, understood the principles involved, and did not allow themselves to be placed in partisan political positions. One was Gen. George C. Marshall, perhaps America's finest professional soldier of this century, who said, to squelch a political boomlet in 1947: "I will never be involved in political matters."

Woodrow Wilson wrote as follows to Secretary of War Lindley M. Garrison, in August 1914: "My dear Secretary, I write to suggest that you request and advise all officers of the service, whether active or retired, to refrain from public comment of any kind upon the military and political situation on the other side of the water. . . . It seems highly unwise and improper. . . ."

Contrast this with Haig's actions on the night of Wednesday, May 23. Appearing before the Fordham University Club at Washington's Mayflower Hotel, dressed in civilian clothes and in his capacity as the President's replacement for Haldeman, he delivered a speech of which, conveniently, the White House press office has no available copies. A few reporters covered the event. Following is the first paragraph of one story from the next morning's *Washington Post*:

> General Alexander Haig, the new chief of staff at the White House, ignored the problems that Watergate has created for the President last night and instead gave a detailed account of how the Nixon Doctrine can help solve the problems of the world.

That doctrine contains explosive geopolitical considerations. It asserts full support of previous alleged American commitments, stating that external military assistance to an insurgency, as well as covert conventional attack, may lead to involvement of general purpose U.S. forces.

Compare Haig's unprecedented exhibition with President Lincoln's words to Gen. Joe Hooker, when appoint-

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Oliphant (Denver Post)

ing him to command the Army of the Potomac: "I also believe you do not mix politics with your profession, in which you are right." More recently, Secretary of Defense Robert McNamara made a similar point: "It is inappropriate for any member of the Defense Department to speak on the subject of foreign policy."

President Kennedy plowed the same furrow even more deeply in 1962:

> The United States military, due to one of the wisest actions of our constitutional founders, have been kept out of politics, and they continue their responsibilities, regardless of the changes of Administration. . . . There is no desire to restrain or prevent any military man from speaking. What we are concerned about, however, always is that they not be exploited for any partisan purpose. And I think, basically, it is for their own protection as well as for the protection of the country.

Yet there was Alexander Haig, four-star general on active duty, filling Haldeman's job and acting as political spokesman for the Administration while in civilian garb. Acting as a willing political tool of the President, he compromised our military establishment, violating its most honored tradition and establishing a menacing precedent.

Haig was also doing Nixon's bidding in other ways. According to two separate reports, one by columnist Joseph Kraft in a *Washington Post* column of May 29; the other by John Osborne, in *The New Republic*'s June 9th issue, Haig was performing an unusual press function. It involved urging upon certain reporters and commentators a view that domestic surveillance, wiretapping and related measures the President had confessed to instituting in 1969 were unrelated to Watergate crimes in which such activities had become enmeshed. In these press contacts, Haig is alleged to have justified such activities in the name of national security. His performance therefore already makes him by definition both participant in and abettor of the President's transparent effort to offer national security as an excuse for unprecedented executive-branch lawbreaking.

Yet another intriguing insight into how Haig sought to fulfill his responsibilities was offered by an item in a *New York Times* piece of May 29 by John Herbers. It contained the following curious note: "General Alexander Haig, Jr., the new Chief of Staff on an interim basis, is running the staff with military assistants. . . ."

Capitol Hill critics, after much probing, revealed that Haig had brought at least two professional Army officers with him to the Executive Mansion, both being on active duty throughout their stay there. One, since returned to the Pentagon after his cover was blown, is Lieut. Col. Frederick Brown. The other, who, in mufti, remains at the White House as of this writing, is Maj. George Joulwan.

In early June, Moss addressed a query to Elmer Staats, Comptroller General and head of the General Accounting Office, the chief investigative agency of the Congress. Setting forth all known facts, he asked Staats for a finding on a series of specific questions, all dealing directly with Haig's status. These included the following:

¶Is he at present a civil officer of government or is he a military officer?

¶Is he still chargeable to the Pentagon's budget?

¶In event of misconduct, would he be answerable to military or civil law?

¶Who is now Vice Chief of Staff of the U.S. Army, or who is acting in that capacity?

¶Is Haig exercising the functions of a civil office or not?

On June 15, the Comptroller General replied, indicating that Haig was a four-star general at the time, holding the post of Vice Chief of Staff of the Army. Staats claimed Haig was subject to the Uniform Code of Military Justice, not to civil law, and noted that Haig was chargeable to the Pentagon budget.

That same letter conceded the Congressman's ultimate point regarding civil status. Quoting Ziegler's May 4th announcement of Haig's appointment, Staats outlined how the White House itself delineated Haig's dual status:

> In this role, General Haig will assume many of the responsibilities formerly held by H.R. Haldeman. These responsibilities include coordination of the work of the White House staff and administration of the immediate office of the President.

Staats continued, quoting from a subsequent announcement by Ziegler on May 10:

> Also, this morning, the President again referred to the fact that he had appointed Alexander Haig to fill the interim role which Bob Haldeman previously filled as assistant to the President and that Alexander Haig would be continuing in this position in the immediate future.

He then quoted a June 6th announcement by Ziegler, reading in part as follows:

> Gen. Alexander M. Haig, Jr. will retire from active duty in the Army effective August 1, 1973, and will be appointed assistant to the President. In this capacity General Haig will continue to exercise the same general responsibilities he has held since rejoining the White House staff on an interim basis in May. . . .

The Comptroller General concluded:

> . . . the strong indications . . . now are that General Haig has been, and is continuing to perform in his

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interim position as assistant to the President, essentially the duties which Mr. Haldeman exercised while occupying one of the offices created by 3 U.S.C. 106. On that premise . . . it is now our view that a violation of the statute 10 U.S.C. 973 (b) is indicated.

Moss wasted no time after receiving the Staats opinion. By June 21, he made the Comptroller General's letter available to Attorney General Richardson, adding his own historical research plus backup material from the Library of Congress. Accompanying this package was a formal request that the Attorney General follow precedent and require Haig to declare himself either a civilian or a general. In effect, Moss asked Richardson to do his duty; he formally sought enforcement of the law.

One question beclouded what now appeared to be a clearly defined situation: would the Attorney General act in the interests of long-term national good, or would he follow a more tortuous partisan path, delaying decision until Haig formally retired from the Army on August 1? The second choice would allow time to temporarily relieve growing political pressure, but would also allow the perilous precedent to be set. Regrettably, Richardson took the latter, partisan course. The sequence of events and correspondence is revealing.

No response was forthcoming to Moss's first letter until July 6, a fifteen-day lapse. The answer was short and totally lacking in substance. It evaded all contact with questions and issues posed by the mass of facts and the Staats opinion. In sum, the chief legal officer of the United States chose to avoid action.

Taking note of the early, pending Nader legal action, Richardson claimed that as Attorney General, he was formally charged with defending against the suit. He did note that although his research of 10 U.S.C. 973 (b) was "incomplete," facts "so far available" did not establish that Haig's commission had terminated. In other words, a simple denial of the entire legal case, the Staats opinion and all specific questions posed.

On July 9, Representative Moss responded, again asking that Richardson exercise his mandate and restating the central question: "Do you, Mr. Attorney General, feel there is any relevance to the action taken by at least two of your distinguished predecessors involving the equally distinguished Generals Meade and Sherman?"

On July 18, a final Richardson letter stated that no opinion could be rendered because the Attorney General had to represent Haig in the Nader suit. Again questions of law and the Staats opinion were deliberately, almost scornfully, ignored.

Richardson employed one further legalism; that in the Sherman and Meade cases the President had sought an opinion from his Attorney General and had received one. In this case, so the peculiar Richardson logic held, since the President had sought no opinion, none would be forthcoming.

Meanwhile, an effort was being set afoot to prevent Haig from being placed on the retired list. For an officer above two-star rank to retire, he must be formally nominated to the retired list. This procedure involves a number of steps, commencing with the sending of his name to the Senate and its publication in the *Congressional Record*. It is then referred to the Senate Armed Services Committee for approval. It must then be approved by unanimous consent in the Senate, from there moving to the White House in the manner of an ordinary civil appointment, to be signed by the President at his pleasure.

Some concerned elements on Capitol Hill hoped an objection to unanimous consent would be registered by one or another members of the Senate. In some manner as yet unknown, sources friendly to the President and Haig were apprised of this plan. On Saturday, July 14, with only a handful of members present, the Haig retirement nomination sailed through with minimal attention. It was a perfect *fait accompli*.

Unfortunately for representative government, the smoke screen thrown out by the White House proved effective over the period from late May to August 1. By announcing that Haig would retire by August 1, the Administration effectively muted criticism by diverting attention from the precedent about to be set. That precedent still remains the central point at issue.

Rep. Les Aspin (D., Wis.) meanwhile had revealed another facet of the Haig retirement story. By retiring at four-star rank, Haig received $2,147 monthly; an annual total of $25,764. Haldeman's position carries with it statutory compensation of $42,500. In the Haldeman post, Haig emerges as a very expensive federal employee, cashing in to the tune of some $68,264 annually.

It is now believed by some that, at a future date, Mr. Nixon may recall Haig to active duty at four-star rank, a precedent set by President Kennedy with Gen. Maxwell Taylor. However, Taylor was recalled from civilian retirement, not from the office next door to the President.

Many observers in Congress, government and the media hoped Richardson would act to defuse the precedent, even by declaring after the fact that the White House action had been a violation of statute, and hence illegal. It would at least have provided future foes of similar appointments a legal leg to stand on. Such requests have been informally made of the Attorney General, but without result.

Haig has now consolidated his new position. Critics have accused him of encouraging a hard line on bombing Cambodia, although this cannot be documented. Certainly he played a significant role in "buttoning up" the White House, encouraging a defiant rather than a cooperative stance against the growing tide of Watergate-based criticism. This also includes a role in advising the President on release of the now celebrated tapes.

Three vital points dominate the Haig affair. First, willingness by the President, in his fear, panic or determination, to aid himself by Haig's appointment, even though it meant establishing a most dangerous precedent.

Second, the thoroughly ignoble and intellectually dishonest role played throughout by the so-called "Mr. Clean" of the Administration, Attorney General Richardson. By sheltering behind legalisms, engaging in deliberate delay and refusing to confront legitimate legal questions, he is directly responsible for allowing the precedent to be set.

Finally, today a political time bomb ticks away under

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the concept of representative democracy as we have come to know it. A rationale has been established for a "man on horseback," or for cumulative creation of a military-style government through appointments. Precedents are made to be followed, and are useful to the unscrupulous as well as those seeking a rule of law.

The Haig precedent, unless rendered harmless, will assuredly come back to haunt the practice of democratic government in America. Perhaps it will be in a month, perhaps not for a century, but if and when an excuse is ever needed, the Haig precedent will be at hand. Legislation to prevent a repetition could, of course, be offered in the Congress. Unfortunately, it would be referred for consideration to the Armed Services Committees, which are, as most students of Capitol Hill know, graveyards for any kind of progressive legislation affecting the nation's military establishment.

Some readers may very well deride the alarm here expressed. But is it nonsense? Is it fevered imagination? History teaches otherwise. Even a cursory glance at the overall picture presented by recent American history reveals an ominous trend.

Since World War II, there has been enormous expansion by our military into activities hitherto performed by civilians. American Presidents no longer rely on the State Department. Rather, they turn to the military-oriented National Security Council. Today, a body with strong West Point input has replaced an overwhelmingly civilian institution as the central advisory organ for American foreign policy. Abroad, U.S. foreign aid increasingly takes the form of military assistance. And who can forget that domestic intelligence gathered by military spies produced dossiers on more than 100,000 Americans? More recently, a similar scandal has broken in connection with surveillance of U.S. troops in Europe.

Increasingly, U.S. military units are being trained to perform domestic missions, rather than for combat roles abroad. War has forged a flourishing alliance between the executive branch and our military. The armed services did not seek these novel tasks. Civilian authority, shirking its duties, pressed such roles upon them. Once involved, however, the military has gone all out with enthusiasm.

New pressures are being placed on the traditional conception a professional military man has of his role. Once such added authority and capability are acquired, there is a deep natural reluctance to yield it back, whether or not an original need still exists. After the frustrating failures in Vietnam, there will inevitably be fault-finding and a search for scapegoats. Will America's military and its conservative allies, still in shock over battlefield stalemate and defeat, seek out our liberal Left for such a role?

Military men tend to think in solely military terms when alternatives are proposed. In some future crisis, who will stand at the President's side and have his ear? Will it be a professional soldier, offering pessimistic evaluations to which only a military response can be made? Will negotiations be sidetracked as an alternative by a person trained to think in equations of military power?

The Haig types hail from a hierarchical rather than an egalitarian organization, and are oriented toward a group rather than to the rights of individuals, stressing obedience and discipline instead of freedom of expression. By relying more on this kind of mentality, we elevate those very traits that negate what our society purports to stand for.

The military establishment itself is disturbed by the precedent. Haig's career has become the most closely scrutinized in the entire Army. A generation of junior officers is watching, and will no doubt be molded significantly by its outcome. The question for them still awaits an answer: will the Army in future provide incentives for promotion to the military professional or to an operator with political skills?

One footnote should be added to this bedraggled tale of battered principle and mutilated tradition. Representative Moss, in spite of Richardson's failure to act to disarm the precedent, has taken a thought-provoking step. He has addressed a request to Special Prosecutor Archibald Cox, enclosing all pertinent materials and asking that he examine the case with a view to intervention. Transpiring as a direct result of Watergate, and involving a violation of a federal statute, there may be some hope, albeit slim, for assistance from that quarter. If not, then the precedent will remain, awaiting that inevitable moment in our history when it will be utilized as a lever against the concept and practice of representative democracy. □

PARAGUAYAN INDIAN HUNT

RICHARD ARENS

On June 4, 1973, the University of Bern released an open letter to the Paraguayan Government. It charged that carefully organized massacres of Aché Indians (otherwise known as Guayakí, of Tupí linguistic stock), added to the detention of Aché Indians in "reservations" indistinguishable from Nazi concentration camps and calculated to insure physical and psychological collapse, had taken on genocidal proportions and had been carried on with the apparent approval and indeed connivance of Paraguayan governmental agencies.

The picture sketched by the University of Bern leaves one with a sense of horror hitherto induced only by the picture of the Nazi "final solution." In some respects, the picture is indeed more dismal.

Achés are being systematically hunted by armed raiding parties. Men, women and children are being indiscriminately mowed down in such "hunts." The preferred

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weapon of the massacre is the machete, which saves the expense of bullets.

An exception may be made for Achés who submit to being tamed and trained as killers of their own kindred. Their reward is a diet capable of insuring survival and the assignment of captured Aché women as their "wives." Both the Aché killers and their "wives" may be guaranteed survival during good behavior. Those willing to accept unadulterated slavery may also be kept alive for indefinite periods as work hands at a bare subsistence level and without medical attention. The use of their language is discouraged; their traditional music prohibited. The attendant death rate from diseases of malnutrition and sheer lack of will to survive is decimating them.

This inevitable attrition is accelerated by such acts as that reported by a team of anthropologists—that "about one-half . . . [of a] recently captured band [of Achés on a reservation] was liquidated, partly by the conscious withholding of food and medicine."

The rites of their religion are denied the Achés even in death. What is felt by the survivors is pervasive melancholy and a sense of degradation, rarely capable of verbalization, yet occasionally captured in a "weeping song," taped by an anthropologist, in which the singer laments the end of the Aché Nation and "regards himself as no longer an Aché and not even a human being . . . [and] as half dead."

Yet another group permitted to survive may be children, largely girls (ranging from 10 years upward). These are being sold as slaves, principally for sexual purposes. And as if in a nightmare world we read of yet another "weeping song," recorded on tape by an anthropologist in March of 1972 in which "the perhaps 30-year-old Aché woman Kanechirigi complains that she does not know what has happened to her daughters, who are now living 'in the houses of mighty Paraguayans.'" The price of an Aché girl, quoted by a German anthropologist, whose eyewitness account constitutes one basis of the open letter of the University of Bern, is in the neighborhood of $5.

Not unreasonably, the open letter of the University of Bern demands the immediate cessation of these crimes and the criminal prosecution of all those responsible, regardless of their station in life.

The Genocide Convention, which has been signed by Paraguay, and which must be viewed as a part of the customary Law of Nations, explicitly encompasses all of the activities described in the Bern indictment.

In addition to genocide, the convention renders "complicity in genocide" subject to punishment as an international crime and declares that persons committing genocide *or* accomplices therein "shall be punished whether they are constitutionally responsible rulers, public officials or private individuals."

The accusations contained in the open letter by the University of Bern are based upon extensive first-hand observation. The pioneering study in this field has been presented by a German anthropologist, Dr. Mark Münzel. Titled "The Aché Indians: Genocide in Paraguay," and published in 1973 by the International Work Group for Indigenous Affairs in Copenhagen, it cites first-hand account upon first-hand account, identifying eyewitnesses located throughout the Americas and Western Europe in a manner satisfying to the most fastidious of legal technicians. Dr. Münzel himself has been an eyewitness to some of these episodes. Photographs included in his report show the bloated bodies of the dying on the reservations. His attempts at persuading the killers, whom he met as they set out for an Indian hunt, to abandon their pursuits, have been fruitless. His denunciation of the practices led to a strongly worded suggestion by the German diplomatic mission that he return to his German home base at the University of Frankfurt.

Col. Patrick Montgomery, the British Secretary of the Anti-Slavery Society, presented substantially identical allegations before the U.N. Commission on Human Rights in Geneva on March 29, 1973, based upon independent and further first-hand evidence. His report was uncontradicted.

The Roman Catholic Church in Paraguay has acknowledged the existence of these practices and has denounced them. So has the World Council of Churches. The British and German press have at various times featured accounts of the liquidation of these hapless people.

The extermination of the Aché population of Paraguay has been progressing over a period of more than a decade to the point where the Achés are almost extinct and the Anti-Slavery Society of Great Britain voices the apprehension "that plans may already exist for the liquidation of other tribes before the limelight has a chance to prevent it."

Liquidation of the Achés has progressed apace with road building and "settlement" of "civilized" communities upon once virgin soil, in short, with commercial penetration which has been heavily financed from the United States.

The involvement of the Paraguayan Government has been direct and immediate. Its knowledge of these practices is incontrovertible. General Stroessner, the dictator of Paraguay, has himself been repeatedly informed, most recently perhaps by the International Commission of Jurists, which sought to "intervene" with him against these massacres.

Clinching evidence concerning the explicit Paraguayan governmental collaboration in the extermination of the Aché Indians has been furnished by eyewitnesses. The typical hunt leading to the roundup and massacre of the native population was consistently observed to be accompanied either by the military vehicles of the Paraguayan armed forces or by trucks "put at the disposal of the Reservation by the Ministry of Public Works and Communication with a soldier as the driver."

Paraguay has been under the iron rule of Gen. Alfredo Stroessner, dictator since 1954. Its nominal governmental structure has from time to time been cos-

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metized to provide a more tolerable appearance to the outside world.

Hundreds of political prisoners are detained without trial under conditions of the utmost deprivation, degradation and torture. Standard operating procedure for the handling of political prisoners, as reported by Amnesty International, includes "prolonged beating for periods of up to two hours nonstop with whips and sticks, burning of sensitive parts of the body with cigarettes and the removal of fingernails." Further refinements are exemplified by the application of electricity to the body of the prisoner "with a prodlike instrument called *picana electrica*" and total immersion to the point of near suffocation in a tub filled with excrement. Amnesty International has reported that such torture sessions have been attended by the ranking members of the Paraguayan general staff as well as the 25-year-old son-in-law of General Stroessner. Medical emergencies, appearing to be imminently life-threatening, may be treated at the police hospital, the Policlinico Rigoberto Caballero, though it does not seem clear whether the available medical treatment is designed to be life-saving or to provide more sophisticated forms of coercion. In a manner strangely reminiscent of the situation obtaining in Athens under the rule of the Colonels, this police installation is within easy walking and hearing distance of the U. S. Embassy.

General Stroessner has played host to numerous fugitives from post-World War II Nuremberg justice. In the early years of his regime, a Herr Contric, a former S.S. man, acted in an official and leading advisory capacity in the Paraguayan system of internal repression. Amnesty International has asserted that it has evidence that Dr. Josef Mengele, "the doctor of Auschwitz," had been acting in a similar advisory capacity in Paraguay. So have other Nazi fugitives. It appears that under U. S. pressure, Nazis are no longer *visibly* engaged within the Paraguayan system of "law and order," though the influence of both Herr Contric and the Herr Doktor is discounted by few objective observers of the Paraguayan scene.

U.S. aid has been flowing into Paraguay, the poorest country in South America, in massive volume significantly since 1954, the year of Alfredo Stroessner's accession to dictatorial power. American investment has been both private and governmental. Standard encyclopedias—ranging from the *Americana* to the *Britannica*—point to a multimillion-dollar inflow of U. S. capital. The impoverishment of the Paraguayan masses of course remains unaffected. Members of the general staff thrive, sometimes as in Vietnam, on the proceeds of a heroin traffic directed to the United States.

Statistics published by the Paraguayan treasury reflect 50 per cent of available budgetary expenditures on military and police operations. The U. S. Government, which in 1971 granted $400,000 in military aid to Paraguay, has been training Paraguayan military personnel and there is every reason to justify the belief that it has participated in the training of paramilitary and police personnel as well. It would not seem unfair to infer that the Paraguayan military vehicles accompanying Aché hunts are of American manufacture.

General Stroessner, of course, has been Washington's man in Asunción. Widespread military facilities, airstrips and roads leading to them, pushed through inhabited as well as virgin territory once populated by Achés have been made available to the United States.

On a visit to Washington in March 1968, General Stroessner told American reporters that he regarded the United States ambassador as a member of his cabinet. (A similar statement was once made in an unguarded moment by Colonel Papadopoulos in Athens.) General Stroessner used the occasion of his Washington visit to offer the dispatch of Paraguayan troops to Vietnam.

Any assertion of the Nixon Administration that it lacks all knowledge and control of racial and political persecution—and specifically the genocide of the Aché Indians in Paraguay—would seem as credible under these circumstances as its recent protestations of innocence of events in Athens or Saigon.

The release of the University of Bern letter was noted in the *Basler Nachrichten* and by Swiss radio and television. It was greeted by total silence from the American press, radio and television. The London bureau of *The New York Times* was explicitly informed and was obviously sympathetic to giving the story the prominence it deserved. Yet no such story appeared.

How explain the silence of the American media while Achés die? □

THE SMITH WHO KNEW NIXON

'MR. SAN DIEGO' IS IN TROUBLE

ALICE MARQUIS

To many of the citizens of San Diego, Watergate-style power plays are ancient history. For decades, they have watched this southwestern corner of the United States being "played like a slot machine" by two self-made tycoons whose fortunes gained them unlimited power reaching to the White House itself.

Today, one of them, John Alessio, is behind bars, convicted of income tax fraud. The other, C. Arnholt Smith, risen to far greater pinnacles of power and pelf, is beset, in the winter of his life, by a snapping pack of troubles. And the "friends" that he selected as shrewdly as he did the more than 100 corporations in his conglomerate empire have vanished. Among them is President Nixon, who chose Smith to watch TV election returns with him in 1968.

In that year, Smith personally raised $1 million for the

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Nixon campaign, including $250,000 of his own money. Much of the rest came from borrowers at Smith's U.S. National Bank and suppliers to Smith's Westgate-California Corp., a $200 million conglomerate that embraces an airline, a luxury hotel, cab companies in every major California city, tuna fleets and canneries, a major league baseball team and an array of other interests, ranging from the peaches in your fruit bowl to the silver in your dollars.

In 1972, it was Smith who boosted conservative San Diego as the perfect site for the Republican convention. Once again, he hit the phone to those faithful borrowers from his bank and suppliers to his companies, calling on their "civic-mindedness" to ante up the $400,000 needed to bring in the convention.

Then the ITT scandal broke. And Watergate. The President lost interest in San Diego, which he had previously called "my lucky city." And also, apparently, in C. Arnholt Smith, whom the ultraconservative *San Diego Union* had dubbed "Mr. San Diego of the Century."

Last December the President further disengaged from his embarrassing friend: the Committee to Re-Elect the President noisily returned Smith's $50,000 campaign contribution. Since then, Smith has faced a sea of troubles.

Last spring, the Justice Department filed an antitrust suit to block Smith's sale of Air California, the weak sister of the conglomerate, to PSA, California's robust commuter airline. Then in mid-May, the Securities and Exchange Commission suspended trading in shares of Westgate-California. Two weeks later, the SEC filed a massive suit in San Diego federal court, charging that Smith, Westgate president Philip A. Toft, former Westgate director Michael J. Coen and several others had systematically looted the conglomerate of more than $100 million in assets. On the same day, U.S. National Bank agreed to a cease-and-desist order from the Comptroller of the Currency to liquidate most of its loans to Westgate-California. Smith's bank reportedly had loaned more than one-third of its assets ($21 million out of $61 million) to Smith's Westgate in violation of rules that limit loans to a single borrower to 10 per cent of assets.

In August, the Internal Revenue Service slapped a $22.8 million lien on Smith for 1969 taxes, placing an unusually harsh "jeopardy assessment" against his holdings in nine California counties. This kind of lien is rare, used only when it is thought the taxpayer is about to flee the country, or transfer his property to others or to be insolvent. The jeopardy assessment has now been lifted, but further liens may be forthcoming for other tax years.

Meanwhile the city of San Diego was preparing legal action to stop Smith's sale of the San Diego Padres to a Washington, D.C. group for a record $12 million, $9 million in much-needed cash. The city fathers were understandably upset by the pending sale, since they are now stuck with paying off a $54 million bond issue on San Diego stadium. Smith's twenty-year lease, signed only four years ago, had been expected to pay the major share. And now the September 10th *New York Times* has carried a front-page story by Denny Walsh that reports current federal investigation into Smith's alleged business associations with a parade of figures in organized crime.

Compared with such disasters, Smith's other legal imbroglios seem like fleabites. They range from a class action suit by four Westgate stockholders based on the SEC action, for damages which could cost millions, to a $1 million harassment suit by the United Cannery Workers who are trying to organize a Westgate subsidiary tuna cannery in Puerto Rico.

Both the SEC and IRS investigations began in 1971 and apparently were carried out with a relentlessness that gives some plausibility to Smith's anguished contention that he is "on some bureaucrat's list of enemies and must be the No. 1 plus, or something. It's strange that the people around the President who have been actively supporting him and raising money for him have been targets."

The man who at age 15 had scooped out beans and flour in Heller's grocery store; who in 1934 said he had no cash to buy even two $100 shares in U.S. National Bank, had clawed and gouged his way to such arrogant heights that serious charges of fraud and the imposition of tax liens were nothing but a bureaucratic trick.

This man could get the city of San Diego to present him one lane of a downtown street for the private entrance to his hotel garage, could prevail on the U.S. Attorney to squelch an investigation into illegal campaign contributions. He counts among his possessions not only yachts, palatial houses and airliners but a host of public officials and, indeed, his own special color—a certain beige which tints his cars, his houses, his suits and socks—"Smith Beige."

A measure of his power are the anecdotes and rumors he generates. Some years ago, so goes one story, one of his branch managers was caught $50,000 short. He had gambled, and lost, at the races. Smith called the man to his office, angrily upbraided him, then marched him to the district attorney, who issued an embezzlement complaint. Within the hour, a judge heard the case, found the manager guilty and sentenced him to five years—suspended. That afternoon, the manager was back behind his desk, where he stayed, chastened and chaste, for the rest of his career.

When *Life* last year published an article showing how Smith leaned on U.S. Attorney Harry Stewart to drop an investigation into allegations that campaign contributions had been illegally funneled through a Smith-controlled advertising agency, copies of the magazine vanished from newsstands within hours. "Smith bought them all up," said many. The fact, however, was that San Diegoans have an insatiable appetite for details about the elusive Mr. Smith.

In truth, Smith's beige 6 foot 4 inch bulk casts a shadow far more impressive than legend. The very first step of his scramble to the top of the financial and political heap sets the tone for what a man will do to succeed. The details of that first step are in the cryptlike basement archives of the San Diego County Courthouse; Superior Court complaint No. 91184, filed December 21, 1937. The suit was dismissed (or settled?) on April 28, 1941.

In the complaint, James R. Russell accused Smith and

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several associates of an "unconscionable design" resulting in "cheating and defrauding [Russell and his son] out of their interest in a valuable and growing concern." The concern was National Steel and Iron Works, then a tiny shipyard, now a West Coast giant. Until 1934, Russell had been its major stockholder as well as president of U.S. National Bank. In a deposition of more than 100 pages, Russell gave details of what he called a "conspiracy."

On February 18, 1934, Russell suffered a massive heart attack, and for the next year was confined to his room, often being forbidden communication with anyone. The bank's operation he entrusted to his vice president, C. Arnholt Smith, with whom, he said, he "had not only an official, but a confidential relationship. . . . I had the

greatest confidence in the integrity and good faith of Smith."

But within three months, Russell charged, Smith demanded—and got—control of Iron Works' board of directors, promising "large and lucrative contracts," and citing Iron Works' massive debts to the bank. Smith's board, Russell charged, instead "campaigned to destroy the credit and business rating of National Iron Works," "falsely told the public that the company was insolvent" and "discharged experienced and competent help."

Now Smith donned his banker's hat. He foreclosed on 418 shares of $100 par value National Iron Works stock, which Russell had pledged as security for a loan and sold the stock to the bank at $10 per share, Russell said. Smith's board of directors also changed Iron Works' bylaws to allow assessments against outstanding stock. The board levied $30 per share. Russell claims he was never notified of the stockholders' meeting at which the articles of incorporation were changed. When he refused to pay the assessment, Russell was notified that his remaining 180 shares were forfeit. These too, he said, were sold to the bank at $10 each. (Soon thereafter, Russell said, Iron Works' bylaws were altered again—to make all stock nonassessable.)

With Russell still locked in his sickroom, Smith also arranged to buy controlling shares of U.S. National Bank for $65,000. "Can you pay cash?" Russell said he asked Smith. "Smith answered," according to Russell, "I have a rich uncle in the state of Washington worth $300,000 and he agreed to finance me in the bank purchase."

Russell said he deposited 510 bank shares in escrow at the Hollywood National Bank. Smith's brother, John, was an officer at this bank. Some weeks later, Russell said, he received a phone call from the president of a bank in Riverside telling him that the shares from the escrow had been used by Smith as collateral for a $10,000 loan. "I couldn't understand," said Russell in his sworn statement, "why stock could be abstracted from an escrow."

In the years since then, Smith has persistently managed to profit from his financial investment in certain political figures to enlarge his personal financial empire. In 1958, for example, and again in 1962, he helped finance the campaign of a San Diego accountant, Democrat Bert Betts, for state treasurer. When Betts took office in 1959, deposits of state funds in U.S. National Bank were $813,000; by December of 1965, such deposits were $15.6 million. U.S. National, though only the tenth largest bank in the state, was second to mammoth Bank of America as a depository of state funds.

Betts denied any connection between the growth of state deposits and Smith's support of his campaign, but Smith disagreed. "I think it would be dishonest to say they weren't related," Smith told *The Wall Street Journal* in 1969, when he was still talking to reporters. "He [Betts] appreciated what we had done for him and he reciprocated."

There is some indication that Smith's early support of Nixon has paid off in similarly handsome fashion. It is known that in 1958, when Nixon was Vice President, Smith's National Steel and Shipbuilding Company received a $67 million government contract for six passenger-cargo ships, even though it was not the low bidder. Smith sold the shipyard two years later, at a figure based substantially on those contracts.

Smith also cooperated profitably with Caliente race track baron John Alessio in various political power plays. In 1964, for example, the two persuaded then Gov. Edmund G. (Pat) Brown that a soaring bridge between San Diego and Coronado was necessary to the

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well-being of Californians. Alessio, the chief beneficiary of such a bridge, then owned the Coronado Hotel, a historic gingerbread pile. When the hotel was subsequently sold, U.S. National Bank acquired a $5 million trust deed. Then, in the true spirit of partnership, Alessio sold land for an approach to the bridge on the Coronado side, while Smith sold land at the San Diego end.

Until last year, when "reformer" Pete Wilson was elected mayor, Smith kept close touch with every corner of city government. A vice president of the bank, ex-bookie Lou Lipton, sat on the Civil Service Commission. Long-time Smith associate Frank Thornton sat on the planning commission. His daughter, Carol Smith Shannon, sat on the library board. And Smith's former chief legal counsel, Frank Giddings, was chairman of the park and recreation board.

The previous mayor, Frank Curran, lost re-election after being indicted for receiving fishy campaign contributions from Yellow Cab Company, which Smith had sold a year or so earlier to a group of close associates. (He repurchased Yellow Cab this year.) Before going down in a cloud of scandal, Curran had seen to it that the city gave Smith that one lane of a crowded downtown street as private access to his plush Westgate Plaza Hotel's garage.

Also under the Curran administration, San Diego taxpayers were talked into a $54 million bond issue for a stadium to showcase Smith's Padres. The city also agreed to pay the baseball club $300,000 per year for "advertising and promotion." Much of that sum, it was revealed recently, was used instead for the team's operating expenses; transportation aboard Smith's Air California, for example.

In addition, gas tax revenues were used to construct miles of eight-lane highway, parallelling, and less than a mile from, a freeway, to provide handy access to the stadium. Along the new route sprang up a multimillion-dollar shopping center, also owned by Smith.

But Smith's shrewdest political investment of all may have been in the 1970 campaign of California Attorney General Evelle Younger. According to his statement of campaign funding, Younger collected a whopping $40,015 in San Diego County. Included was $5,000 from Smith, $3,500 from Smith's daughter, and a loan of $29,321 from Smith and his associate, Frank Thornton.

Curiously, Younger's expenditures in the county totaled exactly $40,015, all of it paid to Barnes-Champ advertising agency. Thornton is the agency's executive vice president and Smith, despite denials, was at that time its owner.

Attorney General Younger is tough on law and order. He wants capital punishment reinstated. He wants long mandatory prison sentences for narcotics pushers and for criminals who use firearms in committing crimes. (He also wants to run for governor next year.) But as the state's chief overseer of corporations, he has never so much as glanced in the direction of C. Arnholt Smith's corporate high jinks. Many of the accusations brought in the SEC suit have been floating around for years and could much more easily have been documented locally. As early as 1969, *The Wall Street Journal* ran articles about lucrative deals that Smith, the individual, had made at the expense of the corporations in which he was merely the controlling stockholder. But Younger has been notably lax in his ardor to enforce corporate law and order.

In 1969, also, Smith's self-dealings stuck in the craw of his accountants. Westgate-California's financial statements, on which the IRS lien and the SEC case are founded, have for years been the joke of the local investment community. "I laugh myself to sleep reading them," says one broker. Westgate-California's quest for the perfect accountant is in itself amusing. In 1969, the firm of Touche, Ross added extensive notes to its audit, questioning some $4.4 million in pre-tax profits from sales of assets to relatives, former directors and friends of Smith. Touche, Ross was fired.

Alexander Grant, another large accounting firm, was then hired to certify the 1969 audit. They did, but also with reservations. In 1970, Westgate-California hired still another firm, Haskins and Sells, for the annual audit. Again it showed a number of footnotes, questioning the collateral for certain loans made by U. S. National Bank to Westgate, as well as Westgate's purchase of 20 per cent of Golconda Corp. stock on December 31 at more than double its market value. The firm of Haskins and Sells was fired.

In 1971, Touche, Ross was rehired, then refired, and Alexander Grant ended up doing the annual audit. Last May, less than a month before the SEC complaint was filed, Alexander Grant withdrew its certification of the 1971 annual report, as well as that for 1969. Westgate's 1972 audit has not yet been released.

At best, Westgate's corporate affairs are an accountant's nightmare. The company has close to 100 known subsidiaries, embedded in a web of interlocking directorates and sub-subsidiaries. Among them is the Westgate Plaza, a morguelike marble pile in downtown San Diego, whose billing as "one of America's three great luxury hotels" has drawn only a sparse clientele to its antique-laden hallways.. The hotel's furnishings, a stockholder suit charged last year, were sold to it by a firm wholly owned by the second Mrs. Smith, the former Helen Alvarez Hill, for almost $2.5 million—at a 25 per cent markup.

Across the street stands the U.S. National Bank building, a 24-story bronze and travertine tower occupied largely by Smith's bank and a horde of lawyers. Among them is C. Hugh Friedman, who used to be an employee of Westgate-California. Just about when the SEC began its investigations, Friedman went into private practice, reportedly taking all the confidential records with him into the sanctuary of lawyer-client privilege. In addition to Friedman, Smith now has retained Mudge Rose Guthrie & Alexander (the President's—and John Mitchell's—old law firm), as well as San Diego's top criminal law firm, to fight the Securities and Exchange Commission complaint.

On the top floor of the bank tower, in an unidentified suite furnished with Chinese antiques, Westgate and bank officials are huddled around the clock these days, scrounging for short-term loans to save the beleaguered Smith domains. Where are the old friends now? □

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APPALACHIAN GUINEA PIG

HIDDEN TRAPS OF REGIONALISM

PHIL PRIMACK

Regionalism—that is, the designation of quite large geographical units for planning and administrative purposes—is very much a part of the American system now, its current surge the perhaps inevitable result of problems grown too large and complex for local units of government to handle alone. It could be a welcome development: water and air pollution know no city bounds; isolated rural counties can provide more adequate medical services by pooling resources. But if one can point to notable examples of regionalism working for the common good, there also have been some outright failures as well as instances of expectations unfulfilled. Such is the case in the Appalachian region, where the progress of regionalism merits close review lest similar mistakes be unnecessarily repeated.

Successful attempts at regionalism have two common factors: they have had the tools and the mandate with which to proceed. Thus in the San Francisco Bay Area the population has long demonstrated a willingness and understanding of the need and procedure for some regional cooperation. [See "Regional Transport: San Francisco Maps Our Future" by Mary Ellen Leary, *The Nation*, July 30.] The tools have been primarily fiscal or statutory, but the mandate has been the involvement and informed consent of the concerned population. Where that ingredient has been missing, good intentions have often failed to produce effective regional action. In many places, certainly in Appalachia, regional mechanisms have tried to operate in a vacuum of citizen awareness and support.

The questions raised by the spread of regionalism are as important for the local populations involved as they are for the ultimate success of regionalism itself. Who determines where and how a regional body shall have authority? What is the role for citizens in such determinations? To whom are regional board members accountable, and how are they chosen? How are the agency's criteria and funding priorities set? To give such questions anything less than full attention is in itself poor planning.

Appalachia has long been a programmer's guinea pig, the testing ground for a wide array of federal and state efforts. It is significant, therefore, that alarms are ringing in Appalachia, where a small but apparently growing number of people perceive regionalism as a threat to their ability to control local affairs of daily importance. They say that power over such basics as schools and garbage disposal has passed from their own hands into the murky authority of something called a regional agency or district.

Appalachia became a testing ground for regionalism in the early 1960s when conditions there had become economically so critical that President Kennedy realized something had to be done about a situation which local and state governments appeared unwilling or unable to correct. The result was a commission charged with producing effective ideas and designing a mechanism by which to implement them. The Appalachian Regional Commission (ARC) was formally and fiscally delivered by President Johnson in 1965.

From the beginning ARC billed itself as a "unique federal-state partnership," relying upon gubernatorial support and strategy. Also from the beginning, residents of the area predicted long-range ineffectiveness for the new creature, because it chose to ignore what many felt to be the keys to any lasting economic and social independence for Appalachia: local control and use of the region's vast natural resources, the rape of which had been responsible for much of the area's plight in the first place. The governors and such key Congressional figures as Sen. Jennings Randolph wanted no part of that kind of activity; accordingly, the ARC has specialized in the political safety of bricks and mortar.

At the same time, no broader example of regionalism has been operating in the country these past eight years. Appalachian regionalism has been on both the multistate and substate level. As for the former, policy and spending decisions are supposed to be based on regional criteria. That is, the governors of the thirteen Appalachian states supposedly view needs on a multi-state, regional level first, and consider their own immediate economic or political needs second. The theory is fine, but it hasn't worked out. "All you have is thirteen guys, some of whom see their governors maybe twice a year, sitting around the table trying to bring home their own slab of bacon," says one former high ARC official who feels the experiment is lost.

At the substate level, ARC has leaned heavily on its "coordinated investment strategy" of concentrating investments in those areas showing "the greatest potential for future growth," as opposed to the Economic Development Administration's criterion of greatest need. Programs are to be assessed on the prospect that expenditures of money and effort in a given area will spread the results beyond the immediate application. This has meant lumping towns and counties into "growth centers." And the growth areas have been translated into political action by creation of the "local development district" (LDD).

These bodies are formed so that each will contain at least one "growth center." Often that is their only unifying factor, with some notable cases of bad grouping (foothills with mountain counties, coal with non-coal, high population level with low). In any case, it is through the LDDs that ARC follows its coordinated investment strategy. Some planners see that strategy, and the LDDs which go with it, as a national model. But as a model, it has received scant scrutiny.

For one thing, while some ARC officials sincerely

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believe that the investment strategy has worked to alleviate Appalachian poverty, statistics from that part of the region which prompted the Appalachian Act in the first place—the mountainous central area—belie any claims of marked improvement. And many observers of the eight-year operation say that investments have not been placed in areas of real potential growth but in those of real potential votes for the governor and Congressmen who announce each ARC grant. Recent moves by ARC's new executive director to reassert the role of the states in all ARC operations will, some disgruntled ARC staffers feel, further stifle whatever creativity and innovation there may have been by making the motive for funding political advantage rather than real need.

Critics make the same basic assessment of the LDD approach. It is through the LDDs that most nonhighway ARC dollars flow; it is from the LDDs that ARC professes to hear the voice of the local people. There's the rub. People in the mountains have become sharply attuned of late to possible threats to their way of life, and many see the LDDs as a major curb to their influence on governmental decisions at the local level. They object to the LDDs as an intermediate layer of government standing between them and the control levels for state and federal moneys. They know who sits on LDD boards—and who doesn't.

The contradiction is blatant: ARC views the LDD as the indicator of local will because it includes all the major elected officials in a development district; but some local citizens call the LDD an impediment to local will precisely because of that makeup. They contend that it's hard enough to deal with their own "courthouse gang"; merge six or eight or ten of them together in a single LDD and "you simply just don't have a chance," as one LDD observer put it recently.

If this, then, is to become a national model, some basic problems need to be solved. Who represents whom and how and according to what guidelines? No one has thought much about such questions, it having been assumed that, since the need for multi-jurisdictional cooperation was critical, getting something started came first. Therefore the tough questions have yet to be answered. How much constituted authority should the new regional mechanisms be given? And from what source should such power proceed? What matters will best be dealt with regionally, and what is more wisely left in local hands? In short, are these new bodies in any way more or less accountable to the wills of the resident population than the original governments whose functions they are complementing or in some cases replacing outright?

In parts of Appalachia the matter has moved past theory. In western North Carolina, for example, a community observer sees the LDDs as little more than power-structure collectives, with vested interests parading as "elected officials" and "civic group representatives." They equate progress with profit, he says, and the effect of it all may be far afield from what well-intentioned backers of regionalization have in mind: "If the planners keep going, the effect will be to practically disinherit the small farmer who might have moved here generations ago to live out his time or escape service in the Civil War or whatever. And that citizen will be the last person to sit on the development district board."

The composition of board members tends to support the fear that LDDs in Appalachia are, at best, staffed from the top down. Even where representatives of the poor or of minority groups do sit on the board, they are generally so outnumbered that they fall silent. Besides, matters handled by LDD boards are often more within the scope of the banker than of the dirt farmer or auto worker. It is thus no surprise that the long-range planning or other actions of such boards often reflect a bias toward a corporate, "free enterprise" model of development—even where such a model is sadly inadequate or worse.

That's the most basic concern. Even though the majority on a board may be elected officials, they were not elected to serve on that board by that board's jurisdictional area as a whole. A new kind of political chemistry begins to operate when officials elected from different areas come together to make collective decisions for which they cannot be held individually accountable. People in Hill County did not elect their fiscal court judge to vote on matters involving eight other counties; and they surely did not authorize those nine other county officers to vote on affairs which affect Hill County.

Perhaps even worse, regional board decisions have often become legislation by the lowest common denominator of what everyone can agree upon. Due to the establishment-affiliated membership of most regional agencies, the criteria thus become what is politically and economically palatable to all vested interests involved. Proponents of regionalism argue that such has often been the case with local government, and they are right. A key difference remains: at the local level, aroused citizens had the ultimate lever of the ballot box; on the regional level they don't.

Aside from basic questions of accountability, the lack of direct citizen involvement is not in the interests of regionalism itself. A regional board can make unnecessary mistakes simply because no one was there to spot an obvious blunder in the early stages. Citizens do show up at city council or fiscal court meetings when an important matter is at hand. But regional bodies are remote and little understood, so the interest isn't generated. Decisions of potentially major effect may thus be developed in a vacuum—a situation that is bad for the regional agency charged with problem solving, and far worse for the citizens living with the problem.

Once again, the premise that some regional cooperation can establish or improve needed facilities was and is sound. It is shortsighted to talk about a one-county garbage landfill when a larger and better one could be built to serve several counties at far less cost to the individual units. But it has proved to be equally shortsighted and wasteful to attempt any such regional effort without the real participation and consent of the several constituencies involved.

Indeed, results can be downright disastrous. In one eastern Kentucky LDD, the board unanimously and enthusiastically backed a plan for a regional sanitary landfill. The state had ordered the closing of all open burning dumps, so something had to be done. But bureaucratic

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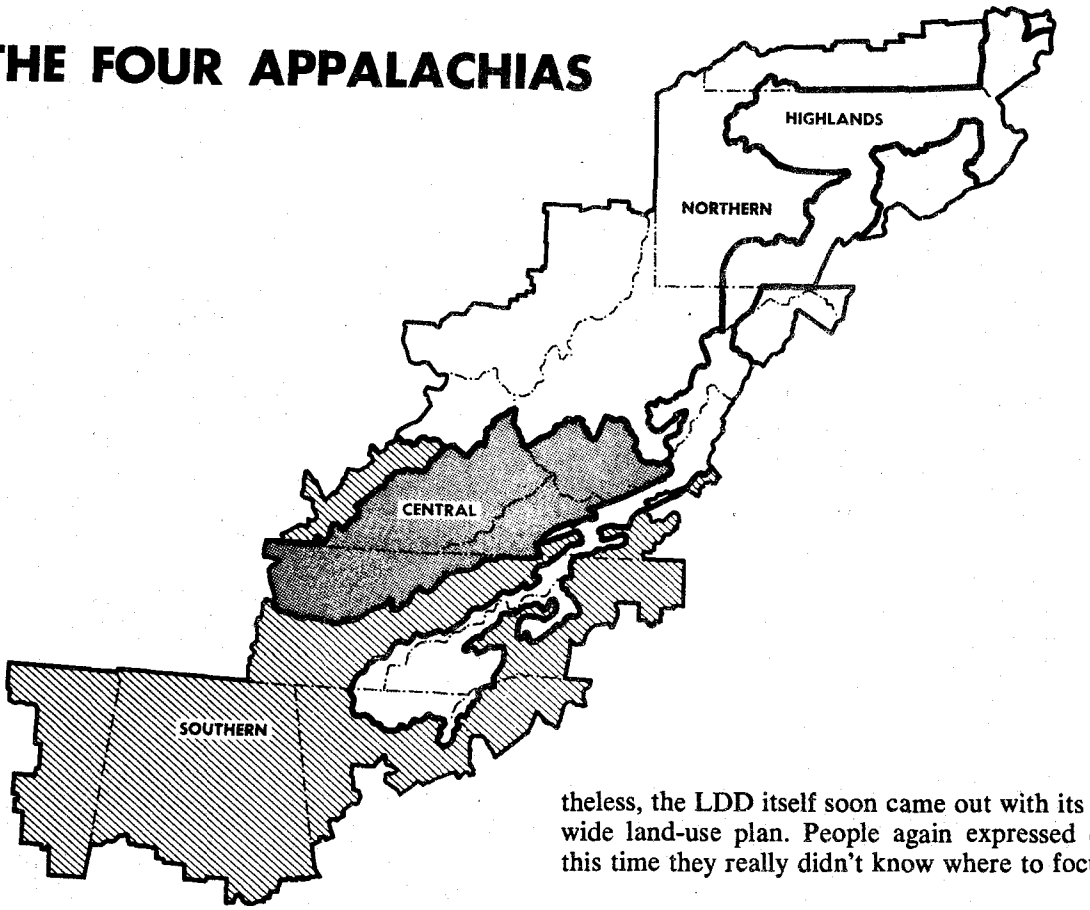

bungling and shortsightedness in assessing local situations resulted in only one landfill being opened to serve all eight counties, and that one isolated, expensive to use, and known to turn into a quagmire entrapping even the most hardy of mountain pickups.

When the failure became obvious, local residents wanted to know whom to get mad at. And they heard their county judge—himself the chairman of the landfill board at the time—saying it wasn't his jurisdiction, it was the problem of the regional garbage authority. And who was that? That was established under the auspices of the development district. The what? The development district. Well, could the judge get something done? Folks are just dumping their garbage into the creeks because there's no other place to put it. Sure, the judge promised, I'll raise the problem at the next district meeting; we're all concerned about the problem, but we have to work it out together.

The garbage mess, as it became known, proved to be the tip of the iceberg of anger. The same development district had endorsed land-use studies for each of its counties. In one of them, residents rebelled at the suggestion in the plan that they move out of their precious hollows and off their hillsides to areas where such "blessings" as sewer and water could be provided. They made it clear that they liked their hollows, had no desire to move away from them unless it was their choice, and in short wanted no part of any regional land-use plan.

Mass-meeting pressure forced the county fiscal court not only to drop the land-use plan but to abolish the county planning commission for good measure. Nonetheless, the LDD itself soon came out with its own district-wide land-use plan. People again expressed concern, but this time they really didn't know where to focus it.

Planners argue that no one unit of government is forced to accept a regionally drafted plan or program. That may be true in theory, but federal and state trends deny it in fact. There is, for example, something called the A-95 procedure of the federal Office of Management and Budget. The stated purpose of the A-95 Memorandum is to foster multi-jurisdictional cooperation in order to assure maximum benefits from an array of federal programs included under A-95's coverage. A-95, says OMB, simply seeks to encourage consistency based on solid planning.

Under A-95, each state which so chooses establishes "clearing houses" to review and comment upon all applications for assistance from federal agencies included under A-95. LDDs, for example, have become the A-95 bodies in most Appalachian states. The application goes to the clearing house, which then invites parties it feels appropriate to comment upon the application, and within thirty days the clearing house itself comments. Only then is the application, with comment, passed to the federal agency. Technically, that agency can ignore an unfavorable A-95 review, though under a new revision of A-95 it must now tell the clearing house why it chose to do so. Under the same revision, A-95 still remains noncompulsory; that is, states don't have to adopt the procedure. In fact, however, the increasing trend is to require the kind of regional review called for in A-95, whether or not it has been formally adopted.

A-95 decisions are supposed to be based on grounds of consistency and soundness of planning. But again, good intentions can be offset by realities. Many of the same questions heard in Appalachia about LDDs are

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being raised there and elsewhere about the A-95 bodies of review. Just who sits on the A-95 board, and who should? If the clearing house doesn't possess the overall plan upon which it is supposed to peg its decisions on what is the review based? Vested interests of the board members? Personalities or politics of the applicants? If there is a plan, who developed it, and with whose active advice and concurrence? Were all segments of the population included in the planning effort? The questions comprise the list of what makes political units responsive to needs.

A-95 raises other basic questions of civil rights. For example, a city with 600,000 people has the same voting power on that A-95 board as a suburban member with 20,000. Aside from one-man, one-vote, the same problems of board composition that arise with LDDs apply here. They are perhaps even more critical with A-95 boards, since both civil rights review and environmental impact determination are left to the auspices of the A-95 body in key areas. Jim Draper, formerly of the Georgia Council on Human Relations, has argued with OMB that A-95 boards "have neither staff nor philosophic inclination" to give minority or low-income people a fair shake. "Moreover," he said, "in many cases there is no representation of these interests on A-95 bodies' boards of directors. Thus, inclusion of such considerations [as civil rights or environment] as criteria for review becomes utterly meaningless—the painting over of rotting wood."

Is this, then, a hopeless quagmire, with the potential value and real need for regionalism clouded by equally real inadequacies of accountability and responsiveness? ARC, for example, might well have become a viable and creative institution if it had followed the advice of many of its initial Appalachian backers and dealt with the real problems of basic economic inequity in Appalachia. Instead, it chose to go with the governors, with the entrenched political systems of thirteen states. Some good has resulted, such as ARC health programs, but had the key segments of the Appalachian population been sought out and included both at the federal-state and the substate levels, a more lasting and accountable mechanism might have made more than a dent on the problems. ARC's survival might then rest on real accomplishment rather than political muscle.

It is certainly not too late to learn lessons from the experience of ARC, its LDDs and such other manifestations of regionalism as A-95. And the need to learn is pressing, since regional plans are likely to spread in ways and to places which will directly affect many more people. Maybe it is necessary to separate regionalism at the urban level from efforts in rural areas where, particularly in the South, the word is that regional government *is* the government in a growing number of places. Maybe the geographical closeness and heavy populations of urban areas make regional efforts there more viable. Or maybe rural areas with their much more limited financing and resources are the places for real regional concentration. It's going on, in any case, in both parts of America.

Some obvious steps could be taken to insure at least the possibility of accountability. For a start, districts should be developed according to common realities, according to economic and social factors which might produce a certain jurisdictional cohesiveness. To combine units sheerly on the basis of geography (the north fork of the river) or politics (that's a Congressional district there) is shortsighted if the real goal is to use common facilities for the common solution of common problems.

Representatives to a development district should be elected on a one-man, one-vote basis specifically to that post by the people of each constituent unit. At present, elected officials are automatically placed on the boards, on the assumption that they represent the will of the people. If special elections were held to fill slots in the regional creation, not only would the special abilities needed by said office be brought out but public attention to and interest in the process might be developed. Such concern does not now exist, except in the negative sense when a district has overstepped its bounds. If regional cooperation is to become a reality, it must begin with the most basic kind of involvement for the population—and that is the vote.

Other specific steps can be taken to assure that these new bodies of government bear at least a resemblance to our traditional concept of democratic institutions. These include hearings and public notification of review matters; A-95 does not require such notice. Outreach offices staffed by local residents to serve as centers for complaints or suggestions is another obvious step. Without such action, and others like it, any future efforts to broaden the power and scope of multi-jurisdictional authorities will obscure even further the role of the American citizen in the affairs of his government.

Hearings may be held this year on a bill by Sen. Joseph Montoya (D., N.M.) "to establish a national development program through public works investment" (S.232). In introducing it last year, Senator Montoya noted that "the inspiration for the approach taken in this bill" is the ARC. He added that the bill "builds on one of the most successful features of the Appalachian program, the strengthening of state and local governments and making them an integral part of the decision-making process on public works investments." The bill would do that by fostering the establishment of "area development districts" nationwide. Public works investments would be made only in those areas which have demonstrated a regional outlook based on sound planning in seeking the money.

Significantly, a main witness at last year's Montoya bill hearings (the bill died then for lack of action) was ARC States' Regional Representative, John Whisman. Whisman's credentials as an ardent backer of national regional development go back well over a decade. Concepts developed by him to deal with eastern Kentucky's late 1950s tragedies—multi-county efforts, relying on local elected officials to reflect the people's will—eventually translated into ARC and, Whisman has said, "hopefully will go national as well." The Montoya bill may well be the vehicle.

Testifying last year, Whisman acknowledged that ARC has perhaps not accomplished what it was supposed to do—provide economic opportunity for Appalachians.

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Indeed, he said, the problems may well have gotten worse in the 1970s. So what should we do? "To meet these new characteristics of our problems, we need to establish new institutional arrangements in society." He added: "The purpose of the regional development approach" is not primarily "to solve the problems of economic lag or unemployment or poverty. Rather, the basic purpose is to solve problems of all kinds, mobilizing our know-how and our funds at all levels of government in a partnership that can forge new and effective solutions."

If that is the purpose, what Whisman is effectively talking about is a basic reconfiguration of government. In acknowledging that problems of poverty remain rampant in ARC's Appalachia, he contends that what we really need are new "institutional arrangements," which, of course, is what ARC was supposed to be in the first place. That reconfiguration is now coming upon us, and we simply have not thought through carefully enough its ramifications upon all strata of society, particularly upon the low-income groups and minorities who themselves are already saying they see it all as a new threat.

They may be right. The burden of proof is on the backers of regionalism to prove them wrong. □

NATIONAL HEALTH & FOREIGN DOCTORS

Caspar Weinberger's Bitter Pill

GEORGE A. SILVER, M.D.

The recent release of a monograph—"Foreign Trained Physicians and American Medicine," by Rosemary Stevens and Joan Vermeulen—has aroused a bureaucratic rumpus at HEW. It challenges the Administration's health manpower policy, raising among other issues the quality of the health services in this country and the long-range effects of deliberately draining vital medical manpower from poor countries.

The senior author, Dr. Stevens, is a respected authority on medical care, associate professor of public health at Yale, author of a valuable study of the American medical scene, *American Medicine and the Public Interest.* The Administration contracted for the monograph two years ago, yet it was released with reluctance and only after Dr. Stevens had engaged in discreetly pointed correspondence with HEW Secretary Caspar Weinberger, stimulated newspaper comments, and published some tantalizing summaries.

The monograph makes no bones about the size of the foreign medical graduate problem in the United States. "One of every six physicians now practicing in the United States is a graduate of a medical school outside the United States or Canada . . . and further [those foreign graduates] provide about one-third of all physicians in hospital-based practice." Of the more than 63,000 foreign-trained physicians, 21,000 are drawn from Asia, notably the Philippines, India and Korea, where the need for physicians is serious and the supply woefully inadequate. New Yorkers have more Thai doctors than does Thailand's rural population of 28 million, reports *Medical Economics.* Stevens writes, "This country is the recipient of substantial 'reverse foreign aid.' The United States is reaping the rewards of investments made by other countries in the education of physicians, and these countries are suffering a long-term loss of physician services." One can estimate that the 5,000 foreign medical graduates who entered the United States last year cost their countries $100 million to educate!

Whereas the United States should be creating doctors for the world, it takes them from the neediest countries. The Administration position—calling a halt to the expansion of medical education facilities (the 1974 budget proposed to reduce construction grants), reducing stipends for students and training grants for potential faculty—was directly opposed to the evident expanding need for medical workers in the United States.

The monograph also calls into question the morality of the systematic inefficiency that creates this enormous demand for hospital manpower, thus carelessly drawing the foreign-trained physicians into hospital services. The open-ended hospital reimbursement schemes (Medicare, Medicaid, Blue Cross) make it much too easy for hospitals to declare vacancies and, in essence, import as many doctors as they desire. More jobs are created and not enough American students graduate to fill them, so a round of continuing inflation of cost and demand ensues.

There are other evil side effects. Standards of education vary and the quality of training in many places abroad is not at the level of most American schools. Without patronizing foreign-trained physicians or schools, it must be acknowledged that the professional part of the magnet that draws the doctors here is the high quality of facilities and training. Since the hospitals that initiate the demand generally seek only bodies, quality is not a first concern. Language difficulties add to the problems besetting the foreign-trained physician; the combination of lower quality and a communications barrier can be lethal.

For the foreign graduate, also, the situation is often far from satisfactory. The institutions with the most useful training opportunities are pre-empted by the graduates of American schools. And so are the more desirable fields of specialization. So the foreign graduate finds himself in the less desirable specialties and the less desirable institutions. The visitor may not get the training he came for, if that was his object, and he returns home less well

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trained than an American graduate would be in similar circumstances. And if he came only ostensibly for training, but really to immigrate, the American people are cheated.

Added to this is the fact that licensing laws and professional groups discriminate actively against foreign medical graduates. In some places they cannot be fully licensed and so are condemned if they wish to stay in this country to a kind of medical limbo: unlicensed and unable to choose a site or kind of work, but allowed to work in lower salaried institutional jobs that American graduates won't touch. The mental hospitals and chronic care institutions are delighted to pick up such indentured servants.

All in all, the Stevens-Vermeulen monograph attacks the lethargy of the Administration on the one hand and the greedy insensitivity of the profession on the other, in allowing hospitals and by implication the whole of the American medical profession to "pull" foreign medical graduates out of the devastatingly impoverished segments of the developing world. Dr. Stevens seems to direct her heaviest blows against the lack of an effective federal policy. This may have irritated Weinberger, since in his opinion the migration of physicians to the United States was merely another example of the worldwide dream of America as promise. It was not America's critical doctor shortage but specific job needs in hospitals, that they came to fill. That raises the spectacle of the richest nation in the world filling its needs by drawing upon the scarce resources of an impoverished Third World.

According to Caspar Weinberger, there is not a real doctor shortage. Mathematically, that may be true, but as long as entrepreneurial medicine persists, physicians will be free to practice where they choose. There is no incentive for them to settle in medically deprived areas; nor will producing more doctors cure the shortage.

Furthermore, there are real deficiencies in the country's system of medical education. It is excessively expensive per student educated. Perhaps a federal policy of short commons just might compel a reassessment of these costs. Medical research and medical education have been bedding together for thirty years, magnifying the expense and uneconomical character of both. Perhaps they should be separated, with medical education rationally underwritten. Doctors characteristically earn large incomes; it might not be too much to ask that they underwrite their own education with loans rather than grants.

There are equally good arguments against such measures: paying their own way may be what makes doctors as greedy as they are, and reducing that preliminary outlay could have long-term benefits for society; eliminating grants for students might well tilt the system even more steeply toward upper- and middle-income students and reduce even further the poor and minority representation in the professions.

In the health field federal funding is hydra-headed. Hundreds of individual programs nestle within dozens of government branches and divisions charged with disbursing, administering and supervising the $22 billion which is HEW's share of the $85 billion national health expenditure anticipated for this year. Of course, the $18 billion locked into Medicare and Medicaid is more rigidly programmed for expenditure, but it still offers lots of bureaucratic leeway for maneuver. (See Silver: "Nixon's Gift to the Poor: Balance Sheet on National Health," *The Nation*, March 12.) That there is fat, waste and water in these budgets is well known, but this has been protected terrain for a long time.

Rational and objective criticism of the medical education system is necessary and might well be a help to the Secretary, but this Administration is unlikely to obtain any cooperation from the intellectual community. Intellectuals (even medical school professors) are on the White House "enemy" list. The Administration has asked Congress for added funds, not for health services to the black and the poor but to ransom Lockheed or bomb Cambodia. When the Administration wants to introduce reason and efficiency into the system, instead of asking for cooperation, it tends to shoot down dissenters.

A long-range program to develop health manpower is badly needed, and more than medical school funding is at stake. How many and what kinds of health workers do we need? How and where should they be trained? What equitable recruitment policies can be devised? What sums should be invested?

Perhaps we need fewer medical schools. Or, it may be that graduating classes on the order of 25,000 doctors a year are required. A really constructive health manpower policy must address itself to adjusting doctor levels to an augmented middle medical personnel. At the same time, a more reasonable wage and salary policy must narrow the range in the health field, so that doctors don't earn $50,000 a year while others average $7,500.

Under such circumstances, perhaps fewer foreign physicians would find the American scene so alluring. Those who did would be drawn into an educational framework that would allow them to become more proficient in the language of the country, to fill in the gaps in their professional education, and after that to serve exactly as do physicians who are trained here from the start—as capably, as well paid, and in the same kinds of jobs.

Weinberger's ventures in *laissez-faire* economics for medical manpower policy need public airing, and the down-to-earth exposure of the Stevens monograph is an important component of the education of the American people on the subject. At the moment, neither we nor the foreign medical graduates are well served by Administration policies. Our need for doctors, even if inflated by an inefficient system, must still be met. And if foreign graduates are to be drawn here to meet that need, they must be fairly treated.

As Dr. Stevens writes, "Meanwhile, the basic questions remain. Is the United States to capture an ever-increasing supply of the world's physicians—10,000 this year, 11,000 the next, 12,000 the year thereafter?" And again, "the United States has a responsibility to monitor the program of foreign-trained physicians through the U.S. system, to see that educational programs involve education as much as service, to encourage physicians to return home at the end of training, and to welcome those who do stay by full assimilation into the professional system of medicine." □

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BOOKS & THE ARTS

Laying Their Hide on the Line

SDS. *By Kirkpatrick Sale. Random House. 752 pp. $15.*

ROBERT SHERRILL

Now that the polls are beginning to show a shift to the Right among students, we can find some nostalgic relief by measuring what went into that leftward swing of the 1960s. Kirk Sale's biography of the Students for a Democratic Society is a perfect place to begin the measurement.

It's not fair to burden the book with too many adjectives, even favorable ones, but I think Sale has done an absolutely overwhelming job. I started to say a job of scholarship, but this isn't a scholarly work. It's got too much juice to be called that. It is more an epic love story, the hero and heroine of which are the children of an unsettled era. Only the chronicler of an epic adventure or a great love affair would so unashamedly deal in so many details, often naggingly petty details—or what would be petty if they were not part of a very important movement—and tell everything without any suspicion that outsiders might not be equally interested. Like a lot of good writers from Edmund Spenser to David Halberstam, Sale can be faulted perhaps for not knowing when to quit. But that is a quickie complaint. On the other hand, viewing it with at least one foot in the concrete of history, I would say that if Sale had cut out some of SDS's interminable organizing and reorganizing and meeting to organize, some of its interminable mooching and bitching and feuding and sulking, he would have a much more graspable book—it took six weeks of careful reading to make my way through *SDS*—but he wouldn't have produced this truly first-rate history, worthy of his labors and the reader's, and graced, thank goodness, by a lucid and unpretentious and often witty style.

The raw material for the SDS was on the campuses where, Sale tells us, 3.7 million were enrolled at the start and 7.8 million at the end of the 1960s. "For the first time in the history of any nation, there were more students than there were farmers."

In the spring of 1960, the first green shoots of SDS poked through the crust of liberalism (liberalism gets pretty rough treatment from Sale but I never did figure out why because I could never figure out what he meant by liberalism), accompanied by the wonderful lyricism of such chaps as Dwight Macdonald lecturing on "The Relevance of Anarchism." By the spring of 1970 SDS was virtually dead.

Between those two springs several significant steps were taken to achieve racial equality in the United States. But these achievements were certainly not traceable to anything done by SDS. And toward the tired, disenchanted end of the 1960s a significant anti-war movement was rolling. But there are no signs that the anti-war movement is, at anything resembling a potent size, a permanent thing; in any event, the SDS can only claim a modest share in building it. The existence of the Selective Service System did much more to encourage campus anti-militarism; and now that the draft is gone, the campus anti-military radical is going, too, it seems. So much for the permanency of radicalism in that sector.

The above judgments as to the role of SDS are mine, not Sale's. He gives a pre-eminent place for SDS in just about everything. "SDS was of course only a part of the political phenomenon known as 'the Movement' and the Movement only a part of the larger process of cultural upheaval of the time," he writes, "but it was the organized expression of that Movement, its intellectual mentor and the source of much of its energy, the largest, best known, and most influential element within it for a decade." He gives SDS credit for playing some part in promoting, recruiting for, and agitating on behalf of, everything from Southern sit-ins to anti-draft protests and anti-ROTC protests; it was, he writes, "the seedbed for the women's liberation movement"; and it was, he says, the dominant spirit behind "what must have been one of the most violent periods in American history since the labor struggles of the 1890s."

I didn't know SDS played such an important role in all these things, but I must admit I was never close to the Movement. While I am almost willing to take Sale's estimate on faith—knowing him to be an excellent editor and reporter—I must say that the protests and anti-establishmentarianism that I saw in the South and in Washington during the 1960s seemed as often as not to derive their strength and their sense of direction from ordinary "liberals" who probably knew as little about the SDS as I did, which was very little indeed.

Sale says the SDS also "provided—chiefly through The Port Huron Statement of 1962—the intellectual and analytical tools which helped many students to fashion a political underpinning for their sense of cultural alienation, producing what was fairly called 'the New Left,' the first really *homegrown* left in America, taking its impulses not from European ideologies and practices (at least not until the end), but from dissatisfactions and distortions in the American experience."

The Port Huron Statement is not a revolutionary manifesto; in fact, it doesn't contain much, if anything, that is different from what is contained in many liberal or labor manifestoes written over the past century. I'm not knocking it; but used material should be called used material.

In this case, what else could we expect? Tom Hayden, the Thomas Jefferson of the Port Huron Statement, started with a blank-slate mind and consciously prepared himself for the writing by steeping himself in C. Wright Mills, Harold Taylor, Camus, Michels, Fromm, David Riesman, Robert Nisbet, Michael Harrington, Iris Murdoch, Sheldon Wolin, Norman O. Brown, William Appleman Williams, et al.—mostly excellent company, to be sure, but not exactly a crowd to teach a young man to pull pink rabbits out of a hat.

The Port Huron Statement would naturally appeal to those of an age when nothing is sweeter than a good bull session on cosmic topics, the kind of bull session that drew from one SDSer the memory: "We talked about a new life, a new world—no one had ever put down on paper what this would look like, though we all had a notion about it. We talked about the Cold War and its being over, how we all rejected both sides, both the Russian bloc and the American bloc, and how we all felt how rotten the American system was, without being able to put a name to it all. It was a terribly stimulating thing."

The greatest thing about Sale's tech-

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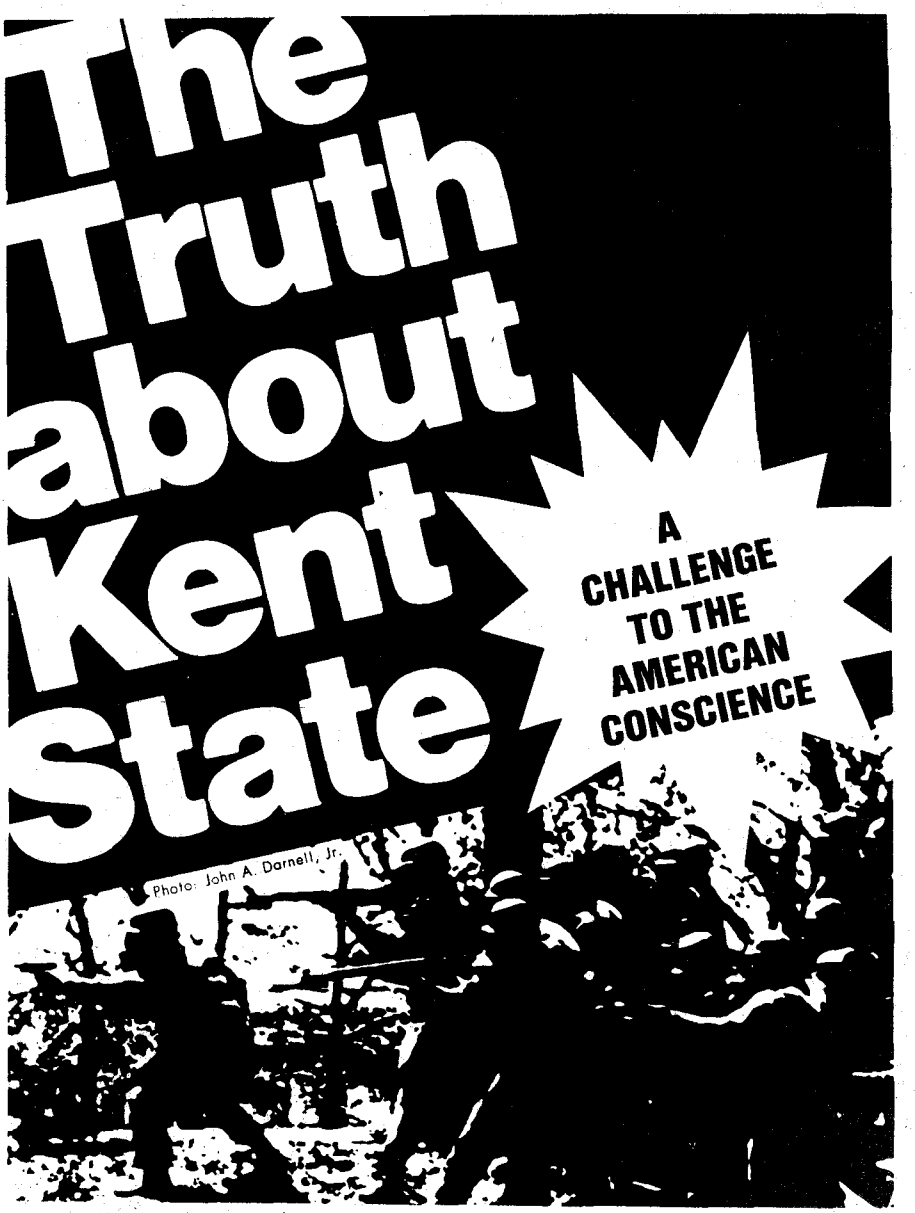
nique is that he really lets you see the world through the eyes of that generation. His sympathy with it is almost total, though in years he is beyond it, and he sometimes sounds himself like one of those fresh-faced early SDSers ("The finest political people I have ever seen," Jack Newfield called them), writing that the Cuban missile crisis "showed that the majority of the population, including many of those trumpeting themselves as liberals, was quite willing to let" President Kennedy blow up half the world. I think that may be something of an exaggeration; speaking only as one trumpeting liberal, my own reaction at the time was not acquiescence but fright, and I suppose that this was one emotion that brought all ideologies into a common ditch at that time, while we waited to see what those very unliberal smart alecks around JFK decided to do next.

The SDS had a hard time finding its way. It tried to organize unemployed lower-class white youths, but failed; it tried to organize an "interracial movement" of poor blacks and whites, but the whites didn't want to join with the blacks. After those busts it decided to junk the "cult of the ghetto." These were still the early days, when idealism was balanced by organization poverty. At one point the SDS office didn't have enough money to put up a bracket so they could install a sink.

The Free Speech Movement on the Berkeley campus—a movement which SDS did not start—resulted in the first big bonanza for SDS. After Berkeley, raising money in the name of similar causes elsewhere was much easier, and SDS milked the potential. As of the spring of 1965, Lyndon Johnson also became a big recruiter for the SDS, as did his Attorney General Nicholas Katzenbach, who spoke darkly of foreign agitators and Commies in the ranks of the SDS (a specter also raised by *The New Republic*). By 1967 several college administrators helped the SDS by admitting that the college officials were spying for the FBI.

However, it wasn't the Vietnamese War but the racial situation in South Africa that prompted the SDS's first official act of civil disobedience on May 19, 1965, when it threw up a picket line at the Chase Manhattan Bank to protest loans to South Africa. Forty-three SDSers went to jail happily. They finally felt they were in business.

The early SDSers had mostly come from the East, were college types, about one-third were Jewish, most of their parents had been allied to a leftist movement. By mid-1965 the SDS was



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seeing a new breed who, Sale writes, "emphasized 'morals' and 'values,' action and bodies-on-the-line, honesty and courage, not ideology and theory and what they called 'Old Leftism' and 'all that thirties horseshit.'" He need not have told us also that "they tended to be not only ignorant of the history of the left and its current half-life in New York City, but downright uninterested: they didn't know Dellinger from Dillinger, Rustin from Reston, Trotsky from Chomsky, *Liberation* from *Liberator*, the Socialist Workers Party from the Socialist Labor Party, and they didn't really care." This, I suspect, is why today one must sift the rubble of the SDS with the finest mesh screen to find anything worth rescuing for history's knick-knack shelf.

This new style probably also accounts for the SDS's loss of what had been its most valuable possession: perspective on itself (or, to put it another way, a sense of humor). In the summer of 1967, when many Americans of every and no ideology were beginning to protest against the war, the SDS hierarchy became suspicious. One "said it all," to use Sale's expression, in *New Left Notes*:

> Vietnam Summer is a liberal protest. It was initiated by top liberals, it acts upon liberal assumptions, it proceeds on liberal undemocratic methods of organization and leadership. The underlying purpose of this liberal strategy is to recapture leadership of the peace and civil rights movement, to blunt the awakening of our radical, anti-liberal identity, and finally to lay the groundwork for leading us into a coalitionist liberal-progressive third party movement.

The moment the SDS's leadership could write and read such remarks as the above with a straight face, the organization had become a parody of itself.

Ironically, when it came to accepting press descriptions of its youthful membership, the SDS was by 1967 happier to accept the appraisal of *Time* magazine ("today's youth appears more deeply committed to the fundamental Western ethos—decency, tolerance, brotherhood—than almost any generation since the age of chivalry") than the appraisal of writers such as Wallace Stegner in *The Nation* ("They often seem to throb rather than think"). The thin-skinned posturing of the SDS does not, however, interfere with Sale's own objectivity. For the most part he is candid about the organization's hallucinations and harsh caste system and occasional irrationality.

The best of SDS's politics, of course, was homemade and saucy. It was the young man at the 1968 convention who, designating a friend who had pulled a wastebasket over his head, declared: "I nominate this trash can for National Secretary." Irreverence was the SDS's greatest gift to this nation. Its internal politics was more often marked by curses and fist fights than by distinguished debates; members were a mulligan stew of madcaps who talked proto-seriously of proto-Marxism and wound up establishing a new SDS chapter in Virginia named the Smith College No More Ugly Babies Chapter. If they talked too much, they also laid their hide on the line: in one year, Dow Chemical was turned away from 100 of the 300 campuses it tried to recruit on. SDS-led protests were often responsible. The young radicals might have done more and done it more efficiently if they had not been constantly quarreling among themselves as to tactics and ideologies—one day "New Left" was a phrase to be proud of, the next day to be scorned—but solidarity and efficiency would have robbed them of something.

By the spring of 1969 the SDS was beginning to get a reputation for violence; in the first six months of that year there were at least eighty-four bombings, attempted bombings and arson incidents on college campuses, and twenty-seven at high schools. Except perhaps as a distant catalyst, the SDS was not involved in all these; if it had had such power, even though these bombings were hardly enough to paralyze the educational process, much less the nation, SDS might have lasted longer than it did. But by that time its leaders were beginning to admit, writes Sale, that "SDS was essentially without power, at least power sufficient for its revolution. True, the weapons it had held in the past—the capacity for disruption, unfavorable publicity, and embarrassment, for engendering guilt and awakening consciences, for creating sympathy, outrage, support, and commitment—were still at hand to be sure, but they were no longer adequate when the war to be waged was for the total dislocation of the society. And the one weapon SDS needed on its side above all others, the one without which polit-

AUBADE

a nostalgia of the dawn's mirror
mythic as the past where we poised
in its signal for the hands
to accept as the glass accepts all vigils
tho it is clear how I had held you
at the fissure that was face
that saw but would not sanctify
and in the cell under the lamps
where men are sold
for your necklace and its bloodpearls
your lead eyes heated bones to transparence
and the indecipherable glyph of a hair
cracked on the sink
as the stars sparked to give witness
and there was no humility, no humbleness

Hugh Seidman

ECONOMIC & POLITICAL PEACE
—
WORKERS PROFIT SHARING
The Riddle of History Solved By Shirley Telford

ECONOMIC & POLITICAL PEACE (2nd edition, 236 pp., $6.95, cloth) is a scholarly book on economics which uses many quotations to prove that Marx believed in profit-sharing enterprise, not communism. WORKERS PROFIT SHARING (2nd edition, Aug. 1973, 32 pp., paperback, $2.00)—originally prepared as a speech to explain Marx's economics—has some new ideas on ownership under profit sharing.

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ical action of any kind was impossible, was the support of the students themselves, at least the important minds and talents among them, at least enough to make a visible and sustained campaign of protest. This, however, was a weapon slipping slowly from the SDS grasp. SDS was losing its campus base."

That was the spring of 1969. And as their following began to fall away, the SDS leadership lost its bounce. It became morose, paranoiac. "Seriousness hung like cigarette smoke over every gathering, and more-revolutionary-than-thou poses were struck as often as matches." Having lost their ability to laugh, SDSers were laughed at—a cartoon booklet from Northwestern was called "New Laugh Notes." The Army was now the great recruiting grounds for anyone building a movement on discontent, but "few SDSers were prepared to go into the army itself, where any serious organizing would have to be done," so once again the SDS fell behind. It also failed to catch hold of the feminist movement.

Under the most favorable conditions the SDS had always had tough sledding, but as the decade closed, its internal depression was accompanied by a new surge of external opposition. Twenty states enacted some kind of punishment against activist students and against permissive college administrations. West Virginia gave its police authority to kill on campus without being subjected to legal reprisal.

Desperation evolving from this decline gave birth to the Weathermen, "the last bizarre incarnation" of the SDS. The Weathermen were, as Sale makes plain enough, self-centered and self-intoxicated bullies. What they did seldom made sense even to the most revolution-minded. The bomb-making foolishness of a handful of Weathermen that blew up the townhouse at 18 West 11th Street (and killed several of the bomb makers) in 1970 will probably be the one thing that the public remembers best about the SDS. It's a sad marker for the Movement's decade that had some noble moments. □

Moving Inward: Bengal Mysticism

IN PRAISE OF KRISHNA: Songs from the Bengali. *Translated by Edward C. Dimock, Jr. and Denise Levertov. Introduction by Edward C. Dimock, Jr. Illustrations by Anju Chaudhuri. Doubleday/Anchor Books. Paper $1.25.*

WILLARD TRASK

The legendary loves of the dark god Krishna, in his incarnation as a cowherd, with the *gopis*, or female cowherds, of the pastoral land of Brindaban entered literature in the *Bhagavata Purana* (9th or 10th century). By the time of Jayadeva and his *Gita-Govinda* (12th century), the other *gopis* had yielded place to Radha, the most constant of the inconstant god's love-partners. The poets of the devotional Vaishnava movement in Bengal (16th and 17th centuries) seized on the Radha-Krishna legend and allegorized it into a mystical drama of the relations between the human soul and the deity. The framework of the drama is the course of a love affair: Radha as a girl; the first meeting; the awakening of love; Radha's surrender; her regret and refusal; Krishna's plea; their reconciliation; their second separation and reunion. (What with the Indian delight in classification and subdivision, the complete drama moves through many more phases, but these are the ones represented in the present selection.)

Under these headings the Vaishnava poets composed short songs exploring the situation, in which the speaker is now Radha, now Krishna, now one of Radha's girl friends, now the older woman go-between, and now the poet himself. Here is one such song, by Govinda-dasa, a disciple of the greatest of the Vaishnava poets, Vidyapati. The speaker is Radha:

Let the earth of my body be mixed with the earth
my beloved walks on.
Let the fire of my body be the brightness
in the mirror that reflects his face.
Let the water of my body join the waters
of the lotus pool he bathes in.
Let the breath of my body be the air lapping his tired limbs.
Let me be sky, and moving through me that cloud-dark Shyama, my beloved.

Clearly, even the unbeliever, who will read this and the other songs in this

Willard Trask is the author of Unwritten Song: Poetry of the Primitive and Traditional Peoples of the World, *2 vols. (Macmillan) and translator of* History of My Life *by Giacomo Casanova, 12 vols. (Harcourt Brace Jovanovich), which won a National Book Award in 1967.*

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collection as "poems-in-themselves" and exercises in the psychology of passion, will be amply rewarded.

Vaishnava poems have been put into English before; but (so far as this reviewer knows) into English scarcely readable or utterly unreadable—for example: "I, an innocent woman, remained unmindful on the strength of the former love." The Germans and the French have done better. Now here at last are some of these poems in the English of a poet.

Two matters of regret:

While the translation quoted above and many of the others convey the architectonic quality of the originals, some of the renderings (for example, the next-to-last song, "The moon has shone upon me"—one of Vidyapati's greatest successes) are too slight in form to do so. "It is a very pretty poem, Mr. Pope, but you must not call it Homer."

Again: *In Praise of Krishna* contains only thirty-eight poems. Yet the poems that have come down to us as attributed to Vidyapati alone number nearly 300; the entire corpus must number in the thousands. A collection in German which happens to be at hand, drawn from a score of poets, numbers nearly 100, under many more headings, and all of them more than well worth translating. It is to be hoped that Dimock and Levertov will continue their collaboration and, by adding to their *In Praise of Krishna*, make it more representative of the wealth of Vaishnava song. They would be doing a service both to poetry and to human solidarity. □

Last Words of the Great

WILLIAM SAROYAN

Was it Freud or was it Fred who said that sex is a going business from the word go, and not thirteen years later at puberty? Fred Bashmanian, all-around Renaissance and roadster Lothario. If so, who was it said, Remember the old days when we went looking for four-leaf clovers, and was answered, Yes, and a little bread. (When bread didn't mean money.) Was that Fred again? Or was that Freud, too? Did Freud say everything? Didn't he leave anything for Fred to say?

And what about Death? What's been said about that? Fred and Freud said something or other between them, but what did anybody say that hadn't already been said inside himself by himself to himself? It's there it's there tiger tiger just as I am. It's myself it's itself it's number one it's how shall I put it everything.

Having yourself interrupted is a frightful outrage if you have things to do, which may be the reason death is deeply feared and fiercely resisted. A poker player in Fresno fifty years ago looked into the face of the man poking the revolver into his ribs and said softly, Are you crazy? Can't you see I've got a decent hand, at last? Is this the time to break up a game?

Death (whatever it may mean) is there all the way. Certain kinds of fools know it from the beginning and act accordingly. Other kinds of fools never know it, or begin to suspect it after they have done everything and suddenly believe it was all in vain, they shouldn't have done anything (excepting the beautiful worthless things they refused to do until it was too late).

See Ecclesiastes.

Samuel Johnson knew he was dying from the beginning, most likely. Perhaps that's why it was no awkwardness at all for him to believe in some kind of local Christianity with a tenderness that can never really be interpreted as intelligent. He believed, that's all, and he knew why. His constant illness and his nearness to death every step of the way did not prevent him from doing the Dictionary—surely the greatest one-man achievement of its kind, ever. The French called in practically all of the members of the Academy and didn't do a better job. And the daily threat of death did not spoil for him many long hours of tavern tippling and talk, an enormous amount of which (surely less than one one-thousandth part, however) was so aptly preserved by his young Scots friend James Boswell that any number of routine throw-away remarks seem quite bright (but really aren't).

What is death? Is such a word permissible, even? Isn't it trying to say too much? Isn't it much too broad to be taken seriously? Doesn't it need to be given accurate aspects and definitions by the hundreds? When I was 10 or 11 years old I found an old almanac in the barn of the rented house at 2226 San Benito Avenue in Fresno, half gone, but I studied every page that was still in place. And all I remember is the feature entitled Last Words of the Great. I was so impressed by what people had said at death that I felt absolutely exhilarated by the promise that someday I would die, and say my last words. What would they be? Well, ever since that time I have been saying them, and they are strangely not unlike the last words of the dead in the almanac. What *could* they be, considering who we are, all of us?

No, the word death is not really permissible. It makes a lot of mischief. It has certainly made philosophies, religions, economic systems, and all kinds of science. I am fascinated by the Arab's relationship to it—which nobody seems to understand very well. Western civilization is terrified of death: hence, aspiration, accumulation, wealth, success, achievement, all of which are fantasies of defense. Decently indifferent to death,

William Saroyan's latest book is Places Where I've Done Time *(Praeger).*

NAMELESS

(Translated from the Swedish by Robert Bly)

It's weird in winter to dance on the ice—
and to keep memories of the fire
that threw light on us so long ago
as it swayed back and forth in the north wind.

And other insignificant things happened at the same time.
The kicksled broke its thin legs
and we rolled around like food baskets on the zinc gray ice.

Clary—you and I.
We sat down deep in the snowy woods by the sea,
we pissed in the snow,
and laughed like mad about it, as children do.
That was a starvation winter, with rickets,
and epidemics going all around the lake.

Clary—you had such impudent, beautiful eyes—
and you died before your breasts had begun to grow.

Harry Martinson

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our view of the architecture of Pruitt-Igoe.

But in 1951-54, the straight International Style was riding high. And the architect Minoru Yamasaki, the second name in the project firm of Hellmuth, Yamasaki and Leinweber, would ride the style of the day. The man from Michigan gained fame by latching onto the style that pleased, from historicism and romance à la Edward Durrell Stone to the infamous simplicities of the World Trade Center. "A most popular architect," as Wolf Von Eckardt once noted, did Pruitt-Igoe in the popular vein. But not alone.

For the august Museum of Modern Art was exhibiting "Built in USA: Postwar Architecture," and the magazines were swooning at the idea that "the discovery in New York's Museum of Modern Art is glass towers." In France, Le Corbusier's controversial "Radiant City" (*"La Ville Radieuse"*) just outside Marseille was winning a moral victory in the courts. Corbu, who dreamed of high rises in parks of green—light and air for all—had vanquished the forces of darkness that denied his solution.

Yamasaki's "vertical neighborhood" was an import, then; his rule by architectural right angle part of the 1950s' world of the T-square. Le Corbusier and the International Style, if precious little of St. Louis, touched Pruitt-Igoe's architecture. And if the standard bays, the impersonal style of the brick and mortar were of the era, so was the lack of concern for the environment. Sturdy structures would replace the "ramshackle" slums of St. Louis, opined *Architectural Forum*. Rehabilitation? The word townhouse wasn't even in the architect's lexicon. "Slum clearance" was. Also, the search for light and air. Nor should we sneer at those needs; Nehru was calling light and air his number-one priority in a letter to Le Corbusier a decade later. Light, like indoor plumbing, is taken for granted by those who possess it. And clean, if cramped quarters, too. Yamasaki and St. Louis skimped on the size and number of bedrooms and would live to regret it. But to all of sociologist Rainwater's questions, the tenants would answer, yes, yes, the insides were O.K. They liked their apartments fine. Only the outsides. . . . "One often gets the impression that mothers try to hold them [the children] virtual prisoners within the house, so great is their fear for their physical and moral safety outside." Only the public spaces. It was the community that failed. Community? Another word not prominent in the architect/planners' lexicon.

Reading over the literature of the past dulls one's arrogance, however. "Public housing can play a new and important role in holding the line against area deterioration if the notion of slum clearance and 'project' is supplanted by the idea of salvage and the construction of small units which are part and parcel of the area itself." Henry Churchill was offering such 1970s' insights to a National Housing conference twenty years ago. He was deploring the fact that the architecture of these projects "stands out from the general pattern of their surroundings." And he would have found more proof when the St. Louis newspapers took to calling any crime in the black part of the city a "Pruitt-Igoe crime."

The fact that today's wisdom was yesterday's too has not deterred those who are against public housing and the "frill" of architectural design for the poor, however.

As Pruitt-Igoe grew to be a fortress of crime; as the carcasses of junked cars piled in its wasteland and the security fences rose; as stores demurred at delivering packages, and policemen answered routine calls with guns drawn, so there was heard the repeated phrase of recrimination—"Award-winning architecture." It was natural for *National Review* to enjoy the fact that liberals and architects had "trumpeted"

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the project, but for a more neutral *Newsweek* to fling the phrase about shows how journalism falsified history for the purposes of polemic. For where and what was the prize? Missing from the records or, at least, so local an achievement that it received no mention in the press of the day. Yamasaki says, "I don't remember any." A peculiar presence, this label.

But if the architecture of Pruitt-Igoe wasn't as good as had been claimed, was it as bad? And are we doing better?

Despite the folly of the 1950s federal-bulldozer solution to slums, the era's architects and planners tried to be thinking men. They had knocked over the pork-barrel approach to housing; had embodied in the housing codes the remedy for the brutalities and shoddiness of the past. Or so they thought. They were, perhaps, no more self-righteous than we Pruitt-Igoe onlookers today. It was—however you view the state of the art and the knowledge of its practitioners—a rational era of architecture. And even ears alert to the coming crash will find the Yamasaki design, well, rational.

Take the key design feature of Pruitt-Igoe, for instance, the gallery. The gallery was to be the inside playground for twenty families. Deliberately spaced, more than an interior corridor, it was an open hallway where mother could use the washer-dryer and baby could play. Nearby was the elevator. A step away was storage for bikes and carriages. No more trotting to the cellar. The elevators would go skip-stop for extra play space. It was an ingenious idea: tomorrow a young social architect of the 1970s might call it a "community corridor" and I might nod appreciatively. It became an inventor's nightmare: the washers and washing rooms forbidding, the elevators lairs and urinals. Yet, as architecture, pure architecture, why not? Take the elevators. José Luís Sert got an award for his married students' dorm; his skip-stop elevators won special praise. Or Yamasaki's World Trade Center; its elevators are exalted as high-rise transport. Or consider the corridors, evidence of surveillance in 1954.

But, you say, architects today would never agree to the large numbers of tenants and the distance from the ground. They would say "no" to economies that destroy amenities. Maybe.

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But what gets squeezed from good design even now, what is UDC doing outside the Museum of Modern Art, and what do architects provide for middle-class Moms in the way of surveillance in a 1970s project like Co-op City? As for the current sociological solution of poor-middle income, black-white mixes, Pruitt-Igoe began that way, too. Finally, you argue, we no longer steamroller our ghettos. Preservation is the word. But does that include the community of 2,000 left in Pruitt-Igoe after the initial dynamiting of the project? There is Pruitt-Igoe. There is the federal slum. Tragic. Inoperable. Funded and experimented on by bodies like HEW, HUD, SOM (Skidmore, Owings & Merrill) till the last gong, and still no chance. Flatten, they say. But look into the windows, shelter for some poor souls. Home. "There are just too many people stacked up in there," says Charles Fleming, the St. Louis Housing Authority architect. "It was an interesting experiment, but it just didn't work."

This is the country of the fresh start. If it doesn't work, go West. If the old city fails, build a New Town. If the old slum clearance doesn't clear out problems, try new styles. But the West is smog-bound and a save-energy, recycle mentality edges forward. Someone must someday soon calculate the energy and manpower and materials ($36 million worth in 1954) destroyed by dynamite at Pruitt-Igoe. Some $11 million went for Saarinen's sculpted Gateway Arch for St. Louis. From time to time, they talked about money for Pruitt-Igoe, too, but it was never enough. In the shops of the city, they sell souvenirs of the Arch, the artistic triumph of St. Louis. On the streets, they level the symbol of the city's human failure.

I, for one, cannot but be horrified by Pruitt-Igoe as an institution and as architecture. Who isn't? But how easy it is to see failed architecture as King Kong and new architecture as Moses. It was the same twenty years ago. We blush to say today that "progress is our most important product," but the idea still reigns as the charges are being readied. I look through the photos and models of new housing these days, and I see some structures that do cluster in pleasant ways. I read convincing statements about rent subsidies. I also see token environmentalism and a great deal of posturing. The sanctimonious utterances are relics, I suppose, of this same myth of progress. They tell us we will wipe out the social, moral, economic and architectural malaise of our era when we blow up the physical mistake of Pruitt-Igoe. Perhaps. But, please, I'll have to ask you; don't invite me to the blast. □

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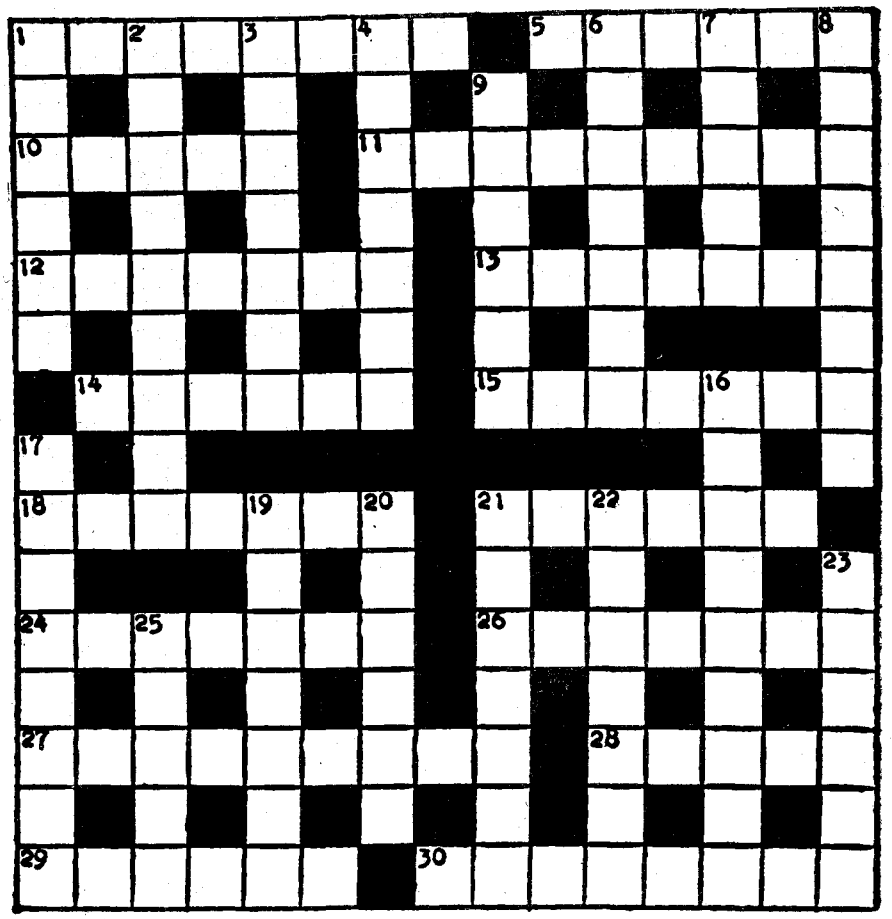
Crossword Puzzle No. 1504

FRANK W. LEWIS



ACROSS

1 and 13 How to make webs and tell a sad story first. (5,3,3,4)
5 Cavils, perhaps, being out of the race.
10 Unusual bird surrounds a band of distinction. (5)
11 The flower of autocracy? (9)
12 Green stuff, but it might be marked by its withered look. (7)
13 See 1 across
14 See 24 across
15 Odd doctor of the movies when accompanied by the head of 24. (7)
18 Like a ring, this has an announced beginning and a regular ending. (7)
21 Look in identical surroundings for a famous dancer. (6)
24 and 14 It might be indicated by the Roman thirty under your name. (4,3,6)
26 In Italy, act like a madman on the girl's return. (7)
27 Taking certain risks, as one far from understanding a British novelist. (9)
28 See 1 down
29 Associated with flight, they go up and down. (6)
30 Quaker-like? (8)

DOWN

1 and 28 across One doesn't need pipes in the tub to have them. (6,5)
2 The extremes of emancipation might portray such an issue. (9)
3 What a young child takes in the afternoon carries one away. (7)
4 Proving taxi-drivers don't make good golfers? (7)
6 Hero-worshipper? (7)
7 Crime has nothing in it to give expression to. (5)
8 An American is terrified to show such a metal box! (8)
9 They are given for favors. (6)
16 Put up, in one sense, and on time, oddly enough! (9)
17 When it comes to processes, they might serve. (8)
19 And out of 6, a hat creation instead, of suitable material. (7)
20 They might be attached to the act—such as we see in some tricky circus performance. (6)
21 Point to what might be offered in church, which throws out the water. (7)
22 You wouldn't send 24 and 14 to one who wasn't. (7)
23 Wet and flat, with the blemish missing.
25 Might be played as a girl in Shakespearean comedy. (5)

SOLUTION TO PUZZLE NO. 1503

ACROSS: 1 Youth center; 9 Half-fare; 11 Accosts; 12 Tiny Tim; 15 Register; 17 Emitting; 20 and 18 Grease monkey; 22 Encamps; 24, 14 and 27 But don't go near the water; 26 and 5 Next to nothing; 28 Antecedents. DOWN. 2 Off-moment; 3 Traitor; 4 and 10 Chew the fat; 6 Emery; 7 Gaucho; 8 Gamine; 13 Frogs; 16 Steadfast; 19 Improve; 20 Gruyere; 21 Sinker; 23 Afton; 25 Stye.

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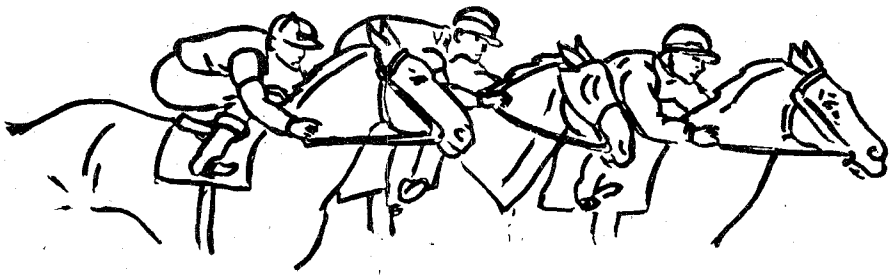

...and the others follow

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CASE NO. 1

May 28, 1973: The NATION runs Joseph C. Goulden's "Warming Up For Watergate" with 1962 as starting point.

Aug. 16, 1973: The VILLAGE VOICE runs "Prelude to Watergate—The Time Frame Was 1962," by Tom de Vries.

CASE NO. 2

Sept. 21, 1970: The NATION runs "Richard Nixon, Theologian" by Charles P. Henderson, Jr.

July 3, 1972: The NEW YORK TIMES features "Mr. Nixon's Theology" by Charles P. Henderson, Jr.

CASE NO. 3

June 4, 1973: The NATION runs "Appraising the GAO," a piece about the General Accounting Office by Peter Gruenstein.

June 17, 1973: THE WASHINGTON POST hits with "Congress' GAO Becomes 'Fiscal FBI.'"

CASE NO. 4

Sept. 13, 1971: The NATION digs into "The Corporate Underground" by Timothy H. Ingram.

On Oct. 9, Nov. 3 and 8, 1971, BUSINESS WEEK, The WALL STREET JOURNAL and NEWSWEEK all run the same story, quoting Mr. Ingram.

CASE NO. 5

Feb. 19, 1973: The NATION prints John Grady's blast, "Administrative Discharges: The 'Less Than Honorable' Solution."

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